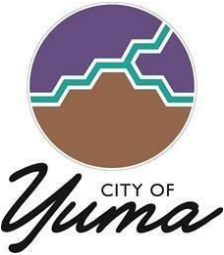


**Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on Monday, February 27, 2023, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

	<p style="text-align: center;"><b>Agenda</b> <b>Planning and Zoning Commission Meeting</b> <b>City Hall Council Chambers</b> <b>One City Plaza Yuma, AZ</b> <b>Monday, February 27, 2023, 4:30 p.m.</b></p>
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A. CALL TO ORDER

- B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES –

February 13, 2023

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – NONE

B.5 APPROVALS – NONE

C. ACTION ITEMS –

C.1 **SUBD-40583-2022:** *This is a request by Core Engineering Group, PLLC, on behalf of Butler Estates, LLC, for approval of the preliminary plat for the Butler Estates Subdivision. This subdivision contains approximately 12.59 acres and is proposed to be divided into 52 residential lots, ranging in size from approximately 5,326 sq. ft. to 10,952 sq. ft., for the property located at the northwest corner of E. 37<sup>th</sup> Street and S. Avenue 10E, Yuma, AZ.*

C.2 **SUBD-40846-2022:** *This is a request by Colvin Engineering, Inc., on behalf of Hardknocks LLLP, for approval of the preliminary plat for the Desert Ridge Townhomes Subdivision. This subdivision will contain approximately 6 acres, and is proposed to be divided into 42 residential lots, ranging in size from 2,900 square feet to 4,400 square feet. The property is located at the southeast corner of Avenue 7½E and 24<sup>th</sup> Street, Yuma, AZ.*

D. PUBLIC HEARINGS –

D.1 **ZONE-40939-2022:** *This is a request by Dahl, Robins & Associates, Inc., on behalf of Yumas Desert Oasis Development, LLC, to rezone approximately 3 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the northwest corner of 36<sup>th</sup> Street and Avenue 7½E, Yuma, AZ.*

E. EXECUTIVE SESSION – NONE

F. INFORMATION ITEMS

F.1 STAFF

F.2 COMMISSION

F.3 PUBLIC – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

## ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

*Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.*

*The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).*

**Planning and Zoning Commission Meeting Minutes  
February 13, 2023**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, February 13, 2023 at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

**PLANNING AND ZONING COMMISSION MEMBERS** present were Chairman Chris Hamel, Vice-Chairman Lorraine Arney and Commissioners Joshua Scott, and John Mahon. Commissioners Ashlie Pendleton, Branden Freeman and Edgar Olvera were absent.

**STAFF MEMBERS** present included Rodney Short, Deputy City Attorney; Emily Hart, Assistant City Attorney; Alyssa Linville, Director of Planning and Neighborhood Services; Robert Blevins, Principal Planner; Erika Peterson, Associate Planner and Lizbeth Sanchez, Administrative Specialist.

**Chairman Chris Hamel** called the meeting to order at 4:30 p.m., and noted there was a quorum present.

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**CONSENT CALENDAR**

**MINUTES** – January 23, 2023

**WITHDRAWALS BY APPLICANT** – None

**CONTINUANCES** – None

**APPROVALS** – None

**Motion by Arney, second by Scott to APPROVE the Consent Calendar as presented. Motion carried unanimously, (4-0) with three absent.**

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**Action Items**– None

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**Public Hearings** –

**ZONE-40827-2022:** *This is a request by Dahl, Robins, and Associates, on behalf of Saguaro Desert Land, Inc., to rezone approximately 7 acres from the Agriculture (AG) District to the Medium Density Residential (R-2) District, for the property located at the northwest corner of E. 24<sup>th</sup> Street and S. Avenue 9E, Yuma, AZ.*

**Alyssa Linville, Director of Planning and Neighborhood Services, summarized** the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

None

**PUBLIC COMMENT**

None

**Motion by Arney, second by Scott to APPROVE ZONE-40827-2022 as presented. Motion carried unanimously, (4-0) with three absent.**

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**ZONE-40917-2022:** *This is a request by Dahl, Robins, and Associates, on behalf of Yuma Real Estate, LLC, to rezone approximately 20 acres from the Agriculture (AG) District to the General Commercial/Aesthetic Overlay (B-2/AO) District, for the property located at the northeast corner of E. North Frontage Road and S. Avenue 3E, Yuma, AZ.*

**Robert Blevins, Principal Planner, summarized** the staff report and recommended **APPROVAL**.

## QUESTIONS FOR STAFF

**Vice-Chairman Arney** stated that recently the Planning and Zoning commission heard a case regarding a proposed travel center in the same area and asked if this was the same project. **Blevins** clarified that this was a different project.

## PUBLIC COMMENT

None

**Motion by Scott, second by Mahon to APPROVE ZONE-40917-2022 as presented. Motion carried unanimously, (4-0) with three absent.**

---

**ZONE-40918-2022:** *This is a request by Dahl, Robins & Associates, Inc. on behalf of Maha, LLC, to rezone approximately .87 acres from the Agriculture (AG) District to the Limited Commercial (B-1) District, for the property located at 2774 S. Avenue B, Yuma, AZ.*

**Erika Peterson, Associate Planner, summarized the staff report and recommended APPROVAL.**

## QUESTIONS FOR STAFF

None

## PUBLIC COMMENT

None

**Motion by Scott, second by Mahon to APPROVE ZONE-40918-2022 as presented. Motion carried unanimously, (4-0) with three absent.**

---

**GP-40777-2022:** *This is a General Plan Amendment request by Ibrahim Osman, P.E., on behalf of Bio Realty Group, LLC, to change the land use designation from Low Density Residential to Mixed Use for approximately 9.42 acres, for the properties located at 868 S. Avenue B and 920 S. Avenue B, Yuma, AZ.*

**Erika Peterson, Associate Planner, summarized the staff report and recommended APPROVAL.**

## QUESTIONS FOR STAFF

None

## PUBLIC COMMENT

None

**Motion by Arney, second by Mahon to APPROVE GP-40777-2022 as presented. Motion carried unanimously, (4-0) with three absent.**

---

**ZONE-40751-2022:** *This is a request by Colvin Engineering, on behalf of Hardknocks Limited Partnership, to rezone approximately 10 acres from the Low Density Residential (R-1-40) District to the Recreational Vehicle Subdivision (RVS) District. These properties are located between 36<sup>th</sup> Street and 40<sup>th</sup> Street, west of Avenue 10E, Yuma, AZ.*

**Alyssa Linville, Director of Planning and Neighborhood Services, summarized the staff report and recommended APPROVAL.**

## QUESTIONS FOR STAFF

**Arney** mentioned that a similar request was presented to the Planning and Zoning commission in the past and asked if these properties were included in the previous rezone request. **Linville** clarified that the commission had approved a different rezone request for the neighboring properties.

## PUBLIC COMMENT

None

**Motion by Scott, second by Arney to APPROVE ZONE-40751-2022 as presented. Motion carried unanimously, (4-0) with three absent.**

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## **INFORMATION ITEMS**

### **Staff**

None

### **Commission**

None

### **Public**

None

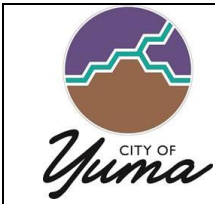
## **ADJOURNMENT**

**Hamel** adjourned the meeting at 4:54 p.m

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Minutes approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Chairman



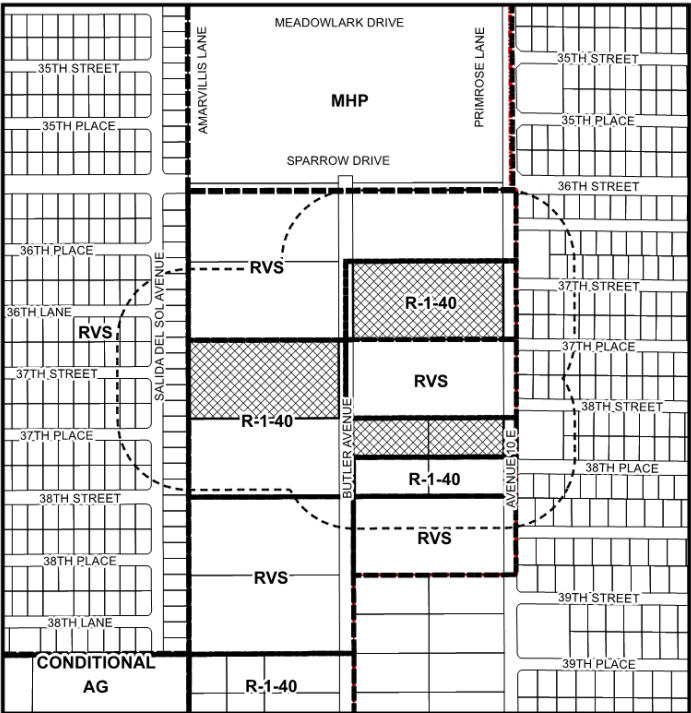
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES**  
**COMMUNITY PLANNING DIVISION**  
**CASE TYPE – PRELIMINARY SUBDIVISION**  
**CASE PLANNER: BOB BLEVINS**

**Hearing Date:** February 27, 2023      **Case Number:** SUBD-40583-2022

**Project Description/Location:** This is a request by Core Engineering Group, PLLC, on behalf of Butler Estates, LLC, for approval of the preliminary plat for the Butler Estates Subdivision. This subdivision contains approximately 12.59 acres and is proposed to be divided into 52 residential lots, ranging in size from approximately 5,326 sq. ft. to 10,952 sq. ft., for the property located at the northwest corner of E. 37<sup>th</sup> Street and S. Avenue 10E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
<b>Site</b>	Conditional Medium Density Residential (R-2-5)	Vacant	Medium Density Residential
<b>North</b>	Recreational Vehicle Subdivision (RVS)	Vacant	Medium Density Residential
<b>South</b>	Recreational Vehicle Subdivision (RVS) / Low Density Residential (R-1-40)	Vacant / Single Family Residence	Medium Density Residential
<b>East</b>	Recreational Vehicle Subdivision (RVS) / County Recreational Vehicle Subdivision (RVS)	Vacant / Via Chaparral Subdivision Residences	Medium Density Residential
<b>West</b>	Recreational Vehicle Subdivision (RVS)	Vista Del Sol Subdivision Residences	Medium Density Residential

**Location Map**



**Prior site actions:** Annexation: ANEX-7505-2014 (03/18/2015); Rezone: ZONE-39444-2022 (R-1-40 to R-2-5).

**Staff Recommendation:** Staff recommends **APPROVAL** of the preliminary plat for the Butler Estates Subdivision, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Preliminary Plat SUBD-40583-2022 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

**Effect of the Approval:** By approving the preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of Butler Estates Subdivision which includes 52 lots ranging in size from 5,326 square feet to 10,952 square feet for the property located at the northwest corner of E. 37<sup>th</sup> Street and S. Avenue 10E, Yuma, AZ , subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

**Staff Analysis:** The applicant states:

“The owner is proposing to develop lots 16, 18, and 20 of Ranchos El Toreo Subdivision into R-2-5 Medium Density Single Family residential subdivision. This request represents the 12.596 acres of the lots. The Preliminary Plat proposes the subdivision of the four existing parcels into 52 new parcels conforming with the City of Yuma Zoning Ordinance for an R-2-5 subdivision and all applicable City of Yuma and Yuma County Codes.

“Per the Conditions of Approval for Rezoning Case 02022-032 Avenue 10 E is proposed to be constructed in accordance with Yuma County Standard 2-020 with a 5-foot sidewalk where the properties have frontage along Avenue 10 E.

“Based on the preliminary development meeting, 37th Street and 37th Place are designed as local 2-lane streets, and 38th Street is developed as a hybrid half-width road which will accommodate 2-way traffic and a 4-foot sidewalk is provided within the constraints of the standard 29' half-width right-of-way for a local 2-lane street. Butler Avenue is designed as a 30' wide fire department access road.

“Far West Water and Sewer will provide sewer service and the City of Yuma will provide water service to the lots from connection points near the intersection of Butler Avenue and 36th Street alignment to the North.”

The applicant is proposing a subdivision with most lots typically between 6,949 to 7,150 sq. ft. in size. The R-2-5 Zoning District allows for site-built homes; with no manufactured homes or recreational vehicles as dwellings permitted. R-2-5 zoning allows lots of 5,000 sq. ft. minimum; therefore this preliminary plat supersedes the densities in the Medium Density Land Use Designation in the General Plan.

To the east is Villa Chaparral Subdivision, zoned RVS in the County, which has site-built homes on lots typically of 6,500 square feet. To the north is an RV resort zoned Manufactured Home Park (MHP) in the City. To the west is Vista del Sol Subdivision, zoned RVS in the City with a mixture of dwelling types. To the south of 40<sup>th</sup> Street is vacant desert in the City zoned Agriculture (AG).

City Engineering has the following comment:

A payback agreement can be obtained for the portions of the water line being extended outside of the subdivision areas. This payback needs to be requested prior to the start of construction in written format with an accurate construction estimate, followed by certified water line construction costs afterward.

**1. Does the subdivision comply with the zoning code and the zoning district development standards?**

Yes.

**2. Does the subdivision comply with the subdivision code requirements?**

Yes.

Standard	Subdivision						Conforms				
Lot Size	Minimum:	5,326.56 S.F.		Maximum:	10,952.89 S.F.		Yes	X	No		
Lot Depth	Minimum:	58.57 FT.		Maximum:	185.62 FT.		Yes	X	No		
Lot Width/Frontage	Minimum:	50 FT.		Maximum:	145.75 FT.		Yes	X	No		
Setbacks	Front:	15-20 FT.	Rear:	10 FT.	Side:	5 FT. & 9 FT.	Yes	X	No		
District Size	12.59	Acres						Yes	X	No	
Density	4.13	Dwelling units per acre						Yes		No	X
Issues: R-2-5 zoning is in conformance with the Medium Density Land Use Designation.											

Requirements	Conforms					
General Principles	Yes	X	No		N/A	
Streets	Conforms					
Circulation	Yes	X	No		N/A	
Arterial Streets	Yes	X	No		N/A	
Existing Streets	Yes	X	No		N/A	
Cul-de-sacs	Yes	X	No		N/A	
Half Streets	Yes	X	No		N/A	
Stub Streets	Yes		No		N/A	X
Intersections	Yes	X	No		N/A	
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues: None						
Blocks	Conforms					
Length	Yes	X	No		N/A	
Irregular Shape	Yes	X	No		N/A	
Orientation to Arterials	Yes	X	No		N/A	
Business or Industrial	Yes		No		N/A	X
Issues: None						
Lots	Conforms					
Minimum Width	Yes	X	No		N/A	
Length and Width Ratio	Yes	X	No		N/A	
Fronting on Arterials	Yes		No		N/A	X
Double Frontage	Yes		No		N/A	X
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes	X	No		N/A	
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						



### 3. Does the subdivision comply with the elements, plans and policies of the General Plan?

Yes.

<b>Land Use Element:</b>																	
Land Use Designation:				Medium Density Residential													
<b>Issues:</b>				The recently-approved R-2-5 zoning densities take precedence over General Plan densities.													
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X	
Historic Buildings on Site:				Yes				No		X							
<b>Transportation Element:</b>																	
<b><u>FACILITY PLANS</u></b>																	
TRANSPORTATION MASTER PLAN				<b>Planned</b>		<b>Existing</b>		<b>Gateway</b>		<b>Scenic</b>		<b>Hazard</b>		<b>Truck</b>			
Avenue 10E- 4 Lane Minor Arterial				50 FT H/W ROW		50 FT H/W ROW											
Bicycle Facilities Master Plan				Avenue 10E- Proposed Bike Lane.													
YCAT Transit System				S. Frontage Road- Gold Route.													
Issues:				None													
<b>Parks, Recreation and Open Space Element:</b>																	
Parks and Recreation Facility Plan																	
Neighborhood Park:		Existing: Saguaro Park						Future: None									
Community Park:		Existing: None						Future: Agua Viva Urban Lake Park									
Linear Park:		Existing: None						Future: Gila Main Canal Linear Park									
Issues:				None													
<b>Housing Element:</b>																	
Special Need Household:				N/A													
Issues:				None													
<b>Redevelopment Element:</b>																	
Planned Redevelopment Area:				None													
Adopted Redevelopment Plan:				North End:				Carver Park:				None:		X			
Conforms:				Yes		X		No									
<b>Conservation, Energy &amp; Environmental Element:</b>																	
Impact on Air or Water Resources				Yes				No		X							
Renewable Energy Source				Yes				No		X							
Issues:				None													
<b>Public Services Element:</b>																	
Population Impacts Population projection per 2016-2020 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person				<b>Single Family</b>		<b>Population</b>		<b>Impact</b>		<b>Consumption</b>		<b>Generation</b>					
				Proposed		Per Unit				<b>Officers</b>		<b>GPD</b>		<b>AF</b>			
				52		3.0		156		0.29		32,292		36.2			
Fire Facilities Plan:				Existing: Fire Station #5						Future: Future Fire Station #7							
Water Facility Plan:				Source:		City		X		Private				Connection		10" PVC on Stetson Street.	
Sewer Facility Plan:				Treatment:		City				Septic				Private		X	
Issues:				None													
<b>Safety Element:</b>																	
Flood Plain Designation:				Zone X		Liquefaction Hazard Area:				Yes				No		X	
Issues:				None													

Growth Area Element:									
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 <sup>th</sup> St			Avenue B & 32 <sup>nd</sup> St.		
	North End		Pacific Ave & 8 <sup>th</sup> St		Estancia		None	X	
Issues:	None								

**Public Comments Received:** None Received.

**External Agency Comments:** See Attachment E.

**Neighborhood Meeting Comments:** Previously-held at rezoning phase of project.

**Proposed conditions delivered to applicant on:** 02/23/23

**Final staff report delivered to applicant on:** 02/23/23

- ☒ Applicant agreed with all of the conditions of approval on: 02/23/23
- ☐ Applicant did not agree with the following conditions of approval: (list #'s)
- ☐ If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

#### Attachments

A	B	C	D	E	F	G	H
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Rezone Conditions	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard Mailing	Aerial Photo

**Prepared By:** *Robert M. Blevins* **Date:** 02/23/23  
 Robert M. Blevins  
 Principal Planner Robert.Blevins@yumaaz.gov (928)373-5189

**Approved By:** *Alyssa Linville* **Date:** 02/23/2023  
 Alyssa Linville,  
 Director of Community Planning

**ATTACHMENT A  
PRELIMINARY PLAT  
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

**Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director of Planning and Neighborhood Services (928) 373-5000, x 3037:**

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

**City Attorney Comments: (928) 373-5058:**

3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
4. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
  - a. pay to cross the easement to reach any structure on the lot;
  - b. prevent the utilities from providing service to any structure on a lot; or
  - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
5. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

**Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:**

6. The Developer/Owner shall design and construct Butler Ave as a full width alternative collector street per City of Yuma construction standard 2-025 including street lights from the northern edge of the subdivision to the southern edge of the subdivision, with all utilities stubbed out under the roadway pavement.
7. The Developer/Owner shall enter into a development agreement with the City of Yuma prior to the final plat recordation, for the opportunity to recover fair share Butler Avenue construction costs from the adjoining property owners, in a payback agreement modeled on the sewer payback agreements found in Article II Sewer Regulations, section 2.5 Reimbursement Agreements, that will be in effect for a period of 15 years.
8. The Developer/Owner shall ensure that all streets entering Avenue 10E meets the City of Yuma Standard 3-170 "Angle of Intersections".
9. The Owner shall record a raised median covenant along Ave 10E frontages.
10. The Owner shall record a 1' non-access easement along Ave 10E frontages on the Final plat, excluding the public streets, similar to that shown in City of Yuma construction standard 3-005.

11. The Developer/Owner shall extend, design and construct a minimum 8" waterline from the existing 10" water line on 36<sup>th</sup> Street, along Butler Avenue to the south edge of the proposed subdivision.
12. The Developer/Owner shall construct sewer as required by the service provider (Foothills Utilities, AKA Far West Water & Sewer).
13. Confirmation and written documentation from the owner of APN: 699-56-017, that the proposed 38th Street design and layout will work for their future development will be provided by the Developer/Owner prior to Final Plat approval.
14. Payment in lieu of construction may be accepted by the City of Yuma for the Avenue 10E frontage improvements required by the rezone condition # 5, if the Developer/Owner makes the request in writing to the City Engineer.

**Community Planning, Robert M. Blevins, Principal Planner (928) 373-5189:**

15. The Owner shall submit a final plat within three (3) year of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement

**Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.**

**ATTACHMENT B**  
**PRELIMINARY PLAT MAP**



**ATTACHMENT C**  
**REZONE CONDITIONS**

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement and Range Disclosure on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. The Owner/Developer shall dedicate right-of-way for a total of 50 feet half-width on Avenue 10E.
5. The Owner/Developer shall construct the half-width of Avenue 10E per Yuma County Standard 2-220 with a five foot sidewalk.
6. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

**ATTACHMENT D**  
**AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** 10/04/22
- **300' Vicinity Mailing:** 10/10/22
- **34 Commenting/Reviewing Agencies noticed:** 10/13/22
- **Hearing Date:** 12/12/22
- **Comments due:** 10/24/22

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	YES	10/18/22	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	10/11/22	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	YES				
USDA – NRCS	NR	11/08/22		X	X
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	10/11/22	X		
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	10/12/22	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	10/12/22	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT E  
AGENCY COMMENTS

## Arizona Environmental Online Review Tool Report



*Arizona Game and Fish Department Mission  
To conserve Arizona's diverse wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations.*

**Project Name:**

Preliminary Plat Butler Estates Subdivision

**User Project Number:**

SUBD-40583-2022

**Project Description:**

12.59 acres and is proposed to be divided into 52 residential lots, ranging in size from approximately 5,326 sq. ft. to 10,952 sq. ft., for the property located at the northwest corner of E. 37th Street and S. Avenue 10E, Yuma, AZ.

**Project Type:**

Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction

**Contact Person:**

Teigan Williams

**Organization:**

Arizona Game and Fish Department

**On Behalf Of:**

YUMA

**Project ID:**

HGIS-17613



**Disclaimer:**

1. This Environmental Review is based on the project study area that was entered. The report must be updated if the project study area, location, or the type of project changes.
2. This is a preliminary environmental screening tool. It is not a substitute for the potential knowledge gained by having a biologist conduct a field survey of the project area. This review is also not intended to replace environmental consultation (including federal consultation under the Endangered Species Act), land use permitting, or the Departments review of site-specific projects.
3. The Departments Heritage Data Management System (HDMS) data is not intended to include potential distribution of special status species. Arizona is large and diverse with plants, animals, and environmental conditions that are ever changing. Consequently, many areas may contain species that biologists do not know about or species previously noted in a particular area may no longer occur there. HDMS data contains information about species occurrences that have actually been reported to the Department. Not all of Arizona has been surveyed for special status species, and surveys that have been conducted have varied greatly in scope and intensity. Such surveys may reveal previously undocumented population of species of special concern.
4. HabiMap Arizona data, specifically Species of Greatest Conservation Need (SGCN) under our State Wildlife Action Plan (SWAP) and Species of Economic and Recreational Importance (SERI), represent potential species distribution models for the State of Arizona which are subject to ongoing change, modification and refinement. The status of a wildlife resource can change quickly, and the availability of new data will necessitate a refined assessment.

**Locations Accuracy Disclaimer:**

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Report is solely responsible for the project location and thus the correctness of the Project Review Report content.



**Recommendations Disclaimer:**

1. The Department is interested in the conservation of all fish and wildlife resources, including those species listed in this report and those that may have not been documented within the project vicinity as well as other game and nongame wildlife.
2. Recommendations have been made by the Department, under authority of Arizona Revised Statutes Title 5 (Amusements and Sports), 17 (Game and Fish), and 28 (Transportation).
3. Potential impacts to fish and wildlife resources may be minimized or avoided by the recommendations generated from information submitted for your proposed project. These recommendations are preliminary in scope, designed to provide early considerations on all species of wildlife.
4. Making this information directly available does not substitute for the Department's review of project proposals, and should not decrease our opportunity to review and evaluate additional project information and/or new project proposals.
5. Further coordination with the Department requires the submittal of this Environmental Review Report with a cover letter and project plans or documentation that includes project narrative, acreage to be impacted, how construction or project activity(s) are to be accomplished, and project locality information (including site map). Once AGFD had received the information, please allow 30 days for completion of project reviews. Send requests to:  
**Project Evaluation Program, Habitat Branch**  
**Arizona Game and Fish Department**  
**5000 West Carefree Highway**  
**Phoenix, Arizona 85086-5000**  
**Phone Number: (623) 236-7600**  
**Fax Number: (623) 236-7366**  
**Or**  
[PEP@azgfd.gov](mailto:PEP@azgfd.gov)
6. Coordination may also be necessary under the National Environmental Policy Act (NEPA) and/or Endangered Species Act (ESA). Site specific recommendations may be proposed during further NEPA/ESA analysis or through coordination with affected agencies

## Preliminary Plat Butler Estates Subdivision

Web Map As Submitted By User



 Buffered Project Boundary  
 Project Boundary

Project Size (acres): 32.99  
Lat/Long (DD): 32.6615 / -114.4631

**Special Status Species Documented within 3 Miles of Project Vicinity**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Antilocapra americana sonoriensis</i>	Sonoran Pronghorn	LE		S		1A
<i>Chionactis annulata</i>	Resplendent Shovel-nosed Snake					1C
<i>Helianthus niveus ssp. tephrodes</i>	Algodones Sunflower	SC				
<i>Phrynosoma goodei</i>	Goode's Horned Lizard					1B
<i>Phrynosoma mcallii</i>	Flat-tailed Horned Lizard	CCA		S		1A
<i>Stephanomeria exigua ssp. exigua</i>	Small Wirelettuce			S		
<i>Triteleopsis palmeri</i>	Blue Sand Lily			S	SR	

Note: Status code definitions can be found at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/statusdefinitions/>.

**No Special Areas Detected**

No special areas were detected within the project vicinity.

**Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
<i>Aix sponsa</i>	Wood Duck					1B
<i>Ammospermophilus harrisi</i>	Harris' Antelope Squirrel					1B
<i>Athene cunicularia hypugaea</i>	Western Burrowing Owl	SC	S	S		1B
<i>Calypte costae</i>	Costa's Hummingbird					1C
<i>Castor canadensis</i>	American Beaver					1B
<i>Colaptes chrysoides</i>	Gilded Flicker			S		1B
<i>Corynorhinus townsendii pallescens</i>	Pale Townsend's Big-eared Bat	SC	S	S		1B
<i>Crotaphytus nebrius</i>	Sonoran Collared Lizard					1B
<i>Euderma maculatum</i>	Spotted Bat	SC	S	S		1B
<i>Eumops perotis californicus</i>	Greater Western Bonneted Bat	SC		S		1B
<i>Haliaeetus leucocephalus</i>	Bald Eagle	SC, BGA	S	S		1A
<i>Heloderma suspectum</i>	Gila Monster					1A
<i>Lithobates yavapaiensis</i>	Lowland Leopard Frog	SC	S	S		1A
<i>Melanerpes uropygialis</i>	Gila Woodpecker					1B
<i>Melospiza lincolnii</i>	Lincoln's Sparrow					1B
<i>Melospiza aberti</i>	Abert's Towhee		S			1B
<i>Myotis yumanensis</i>	Yuma Myotis	SC				1B
<i>Nyctinomops femorosaccus</i>	Pocketed Free-tailed Bat					1B
<i>Perognathus longimembris</i>	Little Pocket Mouse	No Status				1B
<i>Phrynosoma goodei</i>	Goode's Horned Lizard					1B
<i>Phrynosoma mcallii</i>	Flat-tailed Horned Lizard	CCA		S		1A
<i>Sphyrapicus nuchalis</i>	Red-naped Sapsucker					1C



**Species of Greatest Conservation Need Predicted that Intersect with Project Footprint as Drawn, based on Predicted Range Models**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Toxostoma lecontei	LeConte's Thrasher			S		1B
Vireo bellii arizonae	Arizona Bell's Vireo					1B
Vulpes macrotis	Kit Fox	No Status				1B

**Species of Economic and Recreation Importance Predicted that Intersect with Project Footprint as Drawn**

Scientific Name	Common Name	FWS	USFS	BLM	NPL	SGCN
Callipepla gambelii	Gambel's Quail					
Phasianus colchicus	Ring-necked Pheasant					
Zenaidura macroura	White-winged Dove					
Zenaidura macroura	Mourning Dove					

**Project Type: Development Within Municipalities (Urban Growth), Residential subdivision and associated infrastructure, New construction**

**Project Type Recommendations:**

Fence recommendations will be dependent upon the goals of the fence project and the wildlife species expected to be impacted by the project. General guidelines for ensuring wildlife-friendly fences include: barbless wire on the top and bottom with the maximum fence height 42", minimum height for bottom 16". Modifications to this design may be considered for fencing anticipated to be routinely encountered by elk, bighorn sheep or pronghorn (e.g., Pronghorn fencing would require 18" minimum height on the bottom). Please refer to the Department's Fencing Guidelines located on Wildlife Friendly Guidelines page, which is part of the Wildlife Planning button at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

During the planning stages of your project, please consider the local or regional needs of wildlife in regards to movement, connectivity, and access to habitat needs. Loss of this permeability prevents wildlife from accessing resources, finding mates, reduces gene flow, prevents wildlife from re-colonizing areas where local extirpations may have occurred, and ultimately prevents wildlife from contributing to ecosystem functions, such as pollination, seed dispersal, control of prey numbers, and resistance to invasive species. In many cases, streams and washes provide natural movement corridors for wildlife and should be maintained in their natural state. Uplands also support a large diversity of species, and should be contained within important wildlife movement corridors. In addition, maintaining biodiversity and ecosystem functions can be facilitated through improving designs of structures, fences, roadways, and culverts to promote passage for a variety of wildlife. Guidelines for many of these can be found at: <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Consider impacts of outdoor lighting on wildlife and develop measures or alternatives that can be taken to increase human safety while minimizing potential impacts to wildlife. Conduct wildlife surveys to determine species within project area, and evaluate proposed activities based on species biology and natural history to determine if artificial lighting may disrupt behavior patterns or habitat use. Use only the minimum amount of light needed for safety. Narrow spectrum bulbs should be used as often as possible to lower the range of species affected by lighting. All lighting should be shielded, canted, or cut to ensure that light reaches only areas needing illumination.

Minimize the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects and pathogens. Precautions should be taken to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. See the Arizona Department of Agriculture website for a list of prohibited and restricted noxious weeds at <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml> and the Arizona Native Plant Society <https://aznps.com/invas> for recommendations on how to control. To view a list of documented invasive species or to report invasive species in or near your project area visit iMapInvasives - a national cloud-based application for tracking and managing invasive species at <https://imap.natureserve.org/imap/services/page/map.html>.

- To build a list: zoom to your area of interest, use the identify/measure tool to draw a polygon around your area of interest, and select "See What's Here" for a list of reported species. To export the list, you must have an account and be logged in. You can then use the export tool to draw a boundary and export the records in a csv file.

The construction or maintenance of water developments should include: incorporation of aspects of the natural environment and the visual resources, maintaining the water for a variety of species, water surface area (e.g., bats require a greater area due to in-flight drinking), accessibility, year-round availability, minimizing potential for water quality problems, frequency of flushing, shading of natural features, regular clean-up of debris, escape ramps, minimizing obstacles, and minimizing accumulation of silt and mud.

Minimization and mitigation of impacts to wildlife and fish species due to changes in water quality, quantity, chemistry, temperature, and alteration to flow regimes (timing, magnitude, duration, and frequency of floods) should be evaluated. Minimize impacts to springs, in-stream flow, and consider irrigation improvements to decrease water use. If dredging is a project component, consider timing of the project in order to minimize impacts to spawning fish and other aquatic species (include spawning seasons), and to reduce spread of exotic invasive species. We recommend early direct coordination with Project Evaluation Program for projects that could impact water resources, wetlands, streams, springs, and/or riparian habitats.

The Department recommends that wildlife surveys are conducted to determine if noise-sensitive species occur within the project area. Avoidance or minimization measures could include conducting project activities outside of breeding seasons.

Based on the project type entered, coordination with State Historic Preservation Office may be required (<https://azstateparks.com/>).

Trenches should be covered or back-filled as soon as possible. Incorporate escape ramps in ditches or fencing along the perimeter to deter small mammals and herpetofauna (snakes, lizards, tortoise) from entering ditches.

Communities can actively support the sustainability and mobility of wildlife by incorporating wildlife planning into their regional/comprehensive plans, their regional transportation plans, and their open space/conservation land system programs. An effective approach to wildlife planning begins with the identification of the wildlife resources in need of protection, an assessment of important habitat blocks and connective corridors, and the incorporation of these critical wildlife components into the community plans and programs. Community planners should identify open spaces and habitat blocks that can be maintained in their area, and the necessary connections between those blocks to be preserved or protected. Community planners should also work with State and local transportation planning entities, and planners from other communities, to foster coordination and cooperation in developing compatible development plans to ensure wildlife habitat connectivity. The Department's guidelines for incorporating wildlife considerations into community planning and developments can be found on the Wildlife Friendly Guidelines portion of the Wildlife Planning page at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Design culverts to minimize impacts to channel geometry, or design channel geometry (low flow, overbank, floodplains) and substrates to carry expected discharge using local drainages of appropriate size as templates. Reduce/minimize barriers to allow movement of amphibians or fish (e.g., eliminate falls). Also for terrestrial wildlife, washes and stream corridors often provide important corridors for movement. Overall culvert width, height, and length should be optimized for movement of the greatest number and diversity of species expected to utilize the passage. Culvert designs should consider moisture, light, and noise, while providing clear views at both ends to maximize utilization. For many species, fencing is an important design feature that can be utilized with culverts to funnel wildlife into these areas and minimize the potential for roadway collisions. Guidelines for culvert designs to facilitate wildlife passage can be found on the home page of this application at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Based on the project type entered, coordination with Arizona Department of Environmental Quality may be required (<http://www.azdeq.gov/>).

Based on the project type entered, coordination with Arizona Department of Water Resources may be required (<https://new.azwater.gov/>).

Based on the project type entered, coordination with U.S. Army Corps of Engineers may be required (<http://www.usace.army.mil/>)

Based on the project type entered, coordination with County Flood Control district(s) may be required.

Development plans should provide for open natural space for wildlife movement, while also minimizing the potential for wildlife-human interactions through design features. Please contact Project Evaluation Program for more information on living with urban wildlife at [PEP@azgfd.gov](mailto:PEP@azgfd.gov) or at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/> and <https://www.azgfd.com/Wildlife/LivingWith>.

Vegetation restoration projects (including treatments of invasive or exotic species) should have a completed site-evaluation plan (identifying environmental conditions necessary to re-establish native vegetation), a revegetation plan (species, density, method of establishment), a short and long-term monitoring plan, including adaptive management guidelines to address needs for replacement vegetation.

**The Department requests further coordination to provide project/species specific recommendations. please contact Project Evaluation Program directly at [PEP@azgfd.gov](mailto:PEP@azgfd.gov).**

**Project Location and/or Species Recommendations:**

HDMS records indicate that one or more native plants listed on the **Arizona Native Plant Law and Antiquities Act** have been documented within the vicinity of your project area. Please contact:

Arizona Department of Agriculture  
1688 W Adams St.  
Phoenix, AZ 85007  
Phone: 602.542.4373

<https://agriculture.az.gov/sites/default/files/Native%20Plant%20Rules%20-%20AZ%20Dept%20of%20Ag.pdf> starts on page 44

HDMS records indicate that one or more **Listed, Proposed, or Candidate** species or **Critical Habitat** (Designated or Proposed) have been documented in the vicinity of your project. The Endangered Species Act (ESA) gives the US Fish and Wildlife Service (USFWS) regulatory authority over all federally listed species. Please contact USFWS Ecological Services Offices at <https://www.fws.gov/office/arizona-ecological-services> or:

**Phoenix Main Office**

9828 North 31st Avenue #C3  
Phoenix, AZ 85051-2517  
Phone: 602-242-0210  
Fax: 602-242-2513

**Tucson Sub-Office**

201 N. Bonita Suite 141  
Tucson, AZ 85745  
Phone: 520-670-6144  
Fax: 520-670-6155

**Flagstaff Sub-Office**

SW Forest Science Complex  
2500 S. Pine Knoll Dr.  
Flagstaff, AZ 86001  
Phone: 928-556-2157  
Fax: 928-556-2121

# ATTACHMENT F

## NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code
DIEZ FAMILIA AZ LLC	2851 S AVE B SUITE 18	YUMA, AZ 85364
DAVIS RONALD L & PATRICIA E REVOCABLE LIVING TRUST	PO BOX 1555	CLATSKANIE, OR 97016
MILLER JAMES P & VERONE K TRUST 3-24-2005	3657 S SALIDA DEL SOL AVE	YUMA, AZ 85365
GREEN LOLITA Y	11115 WESTONHILL DR	SAN DIEGO, CA 92126
VILLA BEVERLY A	9697 E 37TH ST	YUMA, AZ 85365
JOHNSTON LOYD D & LINDA R JT	20597 COUNTY RD 306	BUENA VISTA, CO 81211
JOHNSTON LYMAN & SHARON TRUST 4-15-1993	8297 S 4340 ROAD	WELCH, OK 74369
FUERST WILMA J	9722 E 36TH LANE	YUMA, AZ 85365
CHRISTENSEN FORREST H & BARBARA A JT	BOX 92	BARNWELL, AB T0K 0B0
TOBIAS ALFONSO JR & GLORIA JT	9735 E 36TH PL	YUMA, AZ 85365
HARVICK GRETCHEN E	9695 E 36TH LN	YUMA, AZ 85365
VANDERPUTTEN MICHAEL ANTHONY	9738 E 37TH ST	YUMA, AZ 85365
DESERT VIEW HOMES INC AZ CORP	8671 S FRONTAGE RD	YUMA, AZ 85365
BAILEY CARL A JR & CARRIE E	3240 FAIRLAND DR	RENO, NV 89523
BAILEY CARL & BETTY TRUST 12-19-2017	9723 E 36TH LN	YUMA, AZ 85367
WEISS ROBERT HAROLD & FREIDA TRUST 5-19-1992	PO BOX 26209	YUMA, AZ 85367
VALLE RODRIGO JR	9737 E 36TH LN	YUMA, AZ 85365
DIXON LARRY A & SHEILA M JT	3671 S SALIDA DEL SOL AVE	YUMA, AZ 85365
WILLIE AND ELOISE FAMILY TRUST 7-3-95	9698 E 37TH PL	YUMA, AZ 85365
HIMES RICHARD L & JANICE M TRUST 6-4-1998	1602 3RD ST	TILLAMOOK, OR 97141
BARREIRO SHERRY REVOCABLE TRUST 2-15-2022	3777 S SALIDA DEL SOL	YUMA, AZ 85365
NARDOZZA FAMILY TRUST 11-7-2007	709 PONSETTIA PARK SOUTH	ENCINITAS, CA 92024
GONZALEZ VICENTE H & MARIA D JT	3645 S SALIDA DEL SOL AVE	YUMA, AZ 85365
JOHNSTON LYMAN E & SHARON K TRUST 4-15-1993	8297 S 4340 ROAD	WELCH, OK 74369
SEGOVIA MARTIN	PO BOX 2980	SOMERTON, AZ 85350
WEISS ROBERT HAROLD & FREIDA TRUST 5-19-1992	PO BOX 26209	YUMA, AZ 85367
CROTTS DENNIS E & GAYLA A TRUST 8-10-2010	662 QUAIL LN	LE ROY, KS 66857
LEE ANN C & LAWRENCE CPWROS	9727 E 37TH PL	YUMA, AZ 85365
BOWEN FAMILY TRUST 12-30-2008	3781 S SALIDA DEL SOL AVE	YUMA, AZ 85365
BECERRA RODOLFO	9742 E 38TH ST	YUMA, AZ 85365
GOHL RICHARD L & CYNTHIA A JT	9728 E 38TH ST	YUMA, AZ 85365
HOWEY KENNETH & DONNA JT	105 1339 MCGIL RD	KAMLOOPS, BC V2C 6K7
HIMES RICHARD & JANICE JT	1602 3RD ST	TILLAMOOK, OR 97141
DIEZ FAMILIA AZ LLC	2851 S AVE B SUITE 18	YUMA, AZ 85364
HARDKNOCKS LLLP	190 S MADISON AVE STE 2	YUMA, AZ 85364
4W AZ LLC	2851 S AVE B SUITE 18	YUMA, AZ 85364
HARDNOCKS AZ LTD PARTNERSHIP	242 S 1ST AVE	YUMA, AZ 85364
STATZER WILLIAM H & CONNIE G JT	3683 S SALIDA DEL SOL AVE	YUMA, AZ 85365
RICHARDS WILLIAM JR & KYLEE SIERRAH	3848 S AVE 10E	YUMA, AZ 85365
GUTIERREZ MANUEL FRANCISCO	6219 E 44TH ST	YUMA, AZ 85365
HARDNOCKS AZ LTD PARTNERSHIP	242 S 1ST AVE	YUMA, AZ 85364
HARDKNOCKS LTD PART	190 S MADISON AVE STE 2	YUMA, AZ 85364
PEREZ MONICA	3639 S SALIDA DEL SOL AVE	YUMA, AZ 85365



Property Owner	Mailing Address	City/State/Zip Code
HARDKNOCKS AZ LP	190 S MADISON AVE STE 2	YUMA, AZ 85364
HARDKNOCKS LTD PART	190 S MADISON AVE STE 2	YUMA, AZ 85365
ROSJON REAL ESTATE & INVESTMENTS AZ LLC	2851 S AVE B SUITE 18	YUMA, AZ 85364
HARDKNOCKS LTD PART	190 S MADISON AVE STE 2	YUMA, AZ 85365
ST CLAIR SAMUEL DOUGLAS & JUSTINE AUTUMN	10125 E 37TH PL	YUMA, AZ 85365
FAVISH SHELLEY M	10123 E 37TH ST	YUMA, AZ 85365
WINGER CHRISTOPHER	10135 E 37TH PL	YUMA, AZ 85365
GRANGER JOSHUA C	10145 E 37TH PL	YUMA, AZ 85365
FOSTER FRED J JR	10155 E 37TH PL	YUMA, AZ 85365
CRUZ DANIEL R & MARGARITA	10156 E 37TH ST	YUMA, AZ 85365
ORTIZ MARCO A & CARMEN M TRUST 11-15-01	PO BOX 4787	YUMA, AZ 85366
CASTILLO EDUARDO	PO BOX 1454	CARLSBAD, CA 92018
BANUELOS GRISELDA J	10441 E 36TH PL	YUMA, AZ 85365
SSC PROPERTIES & INVESTMENTS AZ LLC	526 N MARSHALL LOOP RD	SOMERTON, AZ 85350
ROBINSON JAMES MICHAEL	10153 E 37TH ST	YUMA, AZ 85365
R AND R RENTAL PROPERTIES DE LLC	3426 HEATHERWOOD DR	EL CAJON, CA 92019
SMITH JASON N	10134 E 36TH PLACE	YUMA, AZ 85365
HUTMACHER JESSE	10133 E 37TH ST	YUMA, AZ 85365
BRIONES PAOLA	10155 E 36TH PL	YUMA, AZ 85365
DE LA TORRE JUAN & YOLANDA JT	4617 S BLOSSER RD	SANTA MARIA , CA 93455
KOTTKE MATTHEW R	10145 E 36TH PL	YUMA, AZ 85365
SP TRUST 4-5-2021	14303 E 51ST ST	YUMA, AZ 85367
WOOD LORRAINE	12158 WINTER GARDENS DR	LAKESIDE, CA 92040
COLINA MARICRIS SMITH	1493 LA CHICA DR	CHULA VISTA, CA 91911
FILATOFF JACQUELINE	10136 E 37TH ST	YUMA, AZ 85365
MARMOLEJO DAVID C II & MARY E	10144 E 37TH PL	YUMA, AZ 85365
IBARRA JOSE ALBERTO & MARIA LOURDES JT	10124 E 37TH PL	YUMA, AZ 85365
PAVLICK-HICKS TRUST 8-15-05	1650 LA MESA AVE	SPRING VALLEY, CA 91977
RISING SAMUEL	88605 WEISS ESTATES LANE	BANDON, OR 97411
PEGNUM FAMILY LIVING TRUST 12-6-2010	10141 E 38TH ST	YUMA, AZ 85365
YUMA COUNTY OF	198 S MAIN ST	YUMA, AZ 85364
MACLEAN ALEX L & THERESA E	11186 S SHADOW AVE	YUMA, AZ 85367
LEINBACH DARCI ANN & JASON C JT	10136 E 38TH ST	YUMA, AZ 85365
ARNEY MICHAEL D	10156 E 38TH ST	YUMA, AZ 85365
YUMA COUNTY OF	198 S MAIN ST	YUMA, AZ 85364
VILLASENOR FERNANDO C JR	10114 E 37TH PL	YUMA, AZ 85365
EZELL TYLOR MARIE	10113 E 37TH ST	YUMA, AZ 85365
SIMS BEVERLY	10114 E 36TH PL	YUMA, AZ 85365
CAMARENA KRISTOPHER J	3676 W 36TH ST	YUMA, AZ 85365
ESPINOZA NORIEGA IRIS	10153 E 38TH PL	YUMA, AZ 85365
GARCIA FAUSTO	10126 E 38TH LN	YUMA, AZ 85365
BILLMAN JOE ETAL JT	10123 E 38TH PL	YUMA, AZ 85365
KAMPE ELIZABETH ANNE TRUST	14889 E 47TH LN	YUMA, AZ 85367
THOMAS GREGORY L & SAMRIENG	10150 E 38TH LN	YUMA, AZ 85365
MCCLARAN KEVIN D	1321 ROXANNE DR	EL CAJON, CA 92021
R AND R RENTAL PROPERTIES DE LLC	3426 HEATHERWOOD DR	EL CAJON, CA 92019
GARCIA BACILLO NUNEZ JR	10143 E 38TH PL	YUMA, AZ 85365
CAMARILLO ANTONIO FELIX	10133 E 38TH PL	YUMA, AZ 85367
MARTINEZ ANTONIO	10114 E 38TH LN	YUMA, AZ 85365

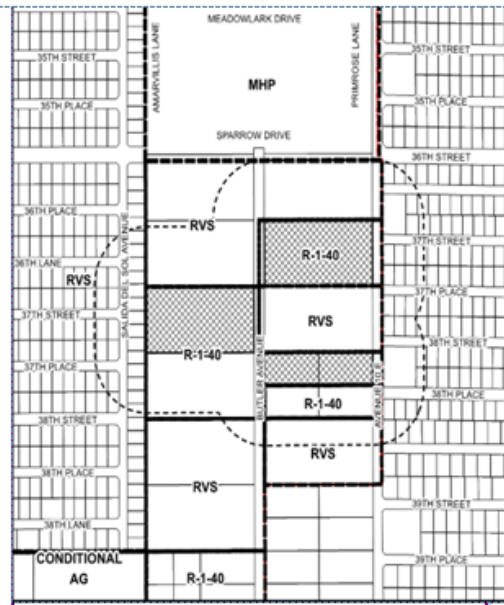


**ATTACHMENT G**  
**NEIGHBOR POSTCARD MAILING**

This is a request by Core Engineering Group, PLLC, on behalf of Butler Estates, LLC, for approval of the preliminary plat for the Butler Estates Subdivision. This subdivision contains approximately 12.59 acres and is proposed to be divided into 52 residential lots, ranging in size from approximately 5,326 sq. ft. to 10,952 sq. ft., for the property located at the northwest corner of E. 37<sup>th</sup> Street and S. Avenue 10E, Yuma, AZ.

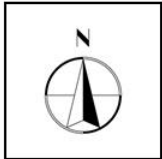
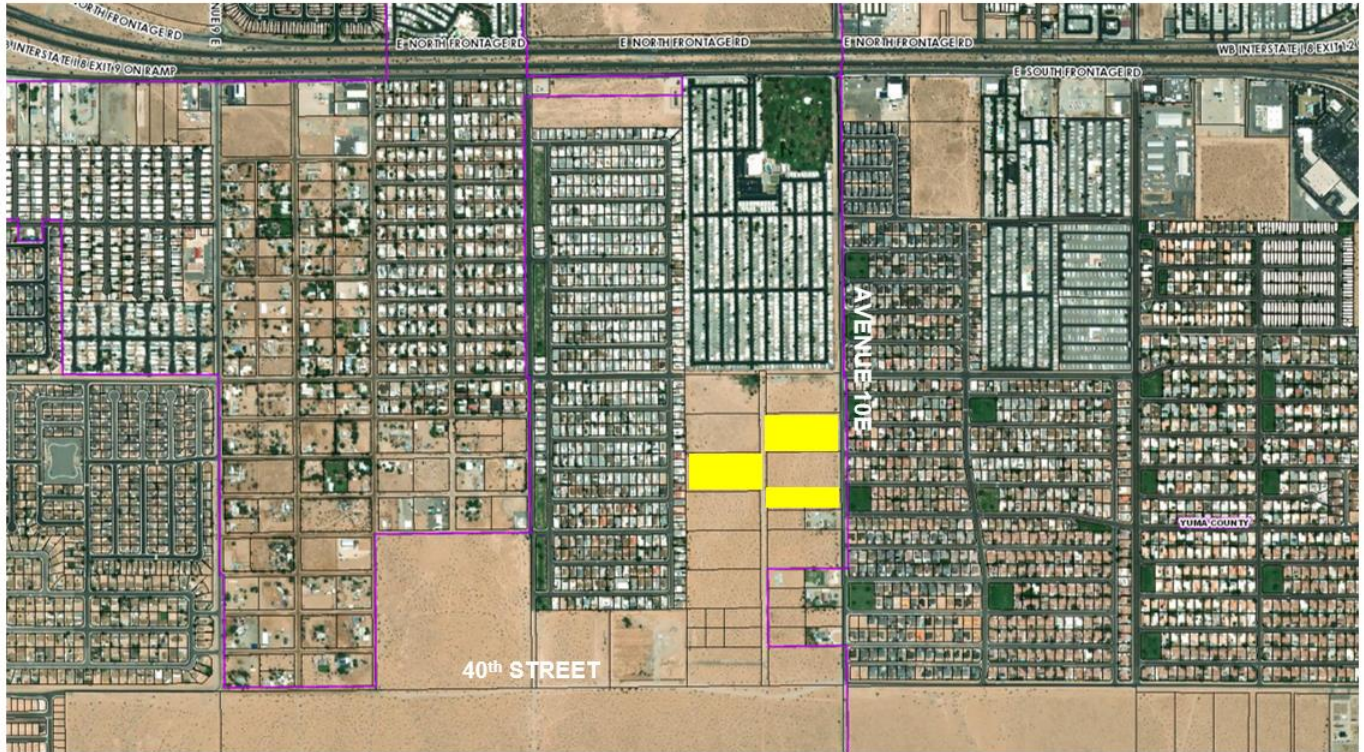
**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
SUBD-40583-2022**

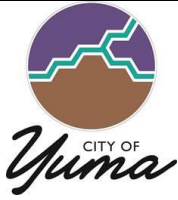
**PUBLIC HEARING**  
**02/27/23 @ 4:30pm**  
**City Hall Council Chambers**  
**One City Plaza, Yuma, AZ**



Because you are a neighbor within 300' of the northwest corner of E. 37<sup>th</sup> Street and S. Avenue 10E, Yuma, AZ you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Robert Blevins by phone at (928) 373-5189 or by email at [Robert.Blevins@YumaAz.gov](mailto:Robert.Blevins@YumaAz.gov)

# ATTACHMENT H AERIAL PHOTO





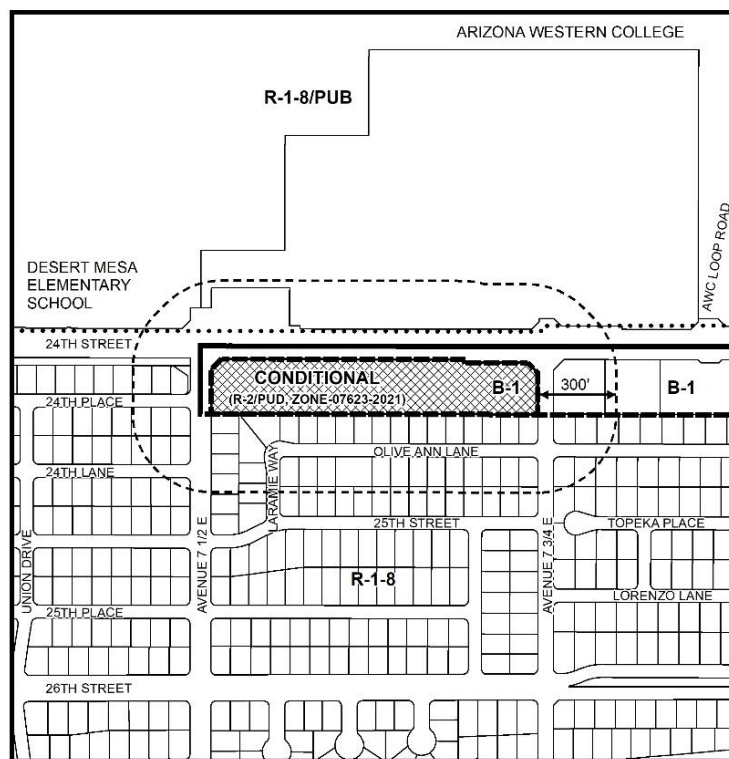
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION  
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES  
COMMUNITY PLANNING DIVISION  
CASE TYPE – PRELIMINARY SUBDIVISION  
CASE PLANNER: ALYSSA LINVILLE**

**Hearing Date:** February 27, 2023      **Case Number:** SUBD-40846-2022

**Project Description/Location:** This is a request by Colvin Engineering, Inc., on behalf of Hardknocks LLLP, for approval of the preliminary plat for the Desert Ridge Townhomes Subdivision. This subdivision will contain approximately 6 acres, and is proposed to be divided into 42 residential lots, ranging in size from 2,900 square feet to 4,400 square feet. The property is located at the southeast corner of Avenue 7½E and 24<sup>th</sup> Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
<b>Site</b>	Limited Commercial; Conditional Medium Density Residential/Planned Unit Development Overlay (B-1; Cond. R-2/PUD)	Undeveloped	Medium Density Residential
<b>North</b>	Low Density Residential/Public Overlay (R-1-8/P)	Undeveloped	Public/Quasi Public
<b>South</b>	Low Density Residential (R-1-8)	Single-Family Residences	Medium Density Residential
<b>East</b>	Limited Commercial (B-1)	Undeveloped	Commercial
<b>West</b>	Low Density Residential (R-1-8)	Single-Family Residences	Low Density Residential

**Location Map**



**Prior site actions:** Annexation: Ord. O97-64 (October 1, 1997); Rezone: Ord. O97-78 (December 3, 1997; AG to B-1); Rezone: Ord. O2022-048 (October 5, 2022; B-1 to R-2/PUD)

**Staff Recommendation:** Staff recommends **APPROVAL** of the preliminary plat for the Desert Ridge Townhomes Subdivision, subject to the conditions outlined in Attachment A.

**Suggested Motion:** Move to **APPROVE** Preliminary Plat SUBD-40846-2022 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

**Effect of the Approval:** By approving the preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of Desert Ridge Townhomes Subdivision which includes 42 lots ranging in size from 2,900 square feet to 4,400 square feet for the property located at the southeast corner of Avenue 7½E and 24<sup>th</sup> Street, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

**Staff Analysis:** The subject property, located along 24<sup>th</sup> Street, between Avenue 7½E and Avenue 7¾E, was annexed into the City of Yuma in 1997 and has remained undeveloped. The applicant recently rezoned the property from commercial to residential, with the intent of developing the site with a townhome development. This proposed development will feature 42 units, each on an individually owned parcel. The current zoning for the property is Conditional Medium Density Residential/Planned Unit Development Overlay (R-2/PUD). The Planned Unit Development Overlay (PUD) District allows for certain deviations from typical development standards (increased densities, reduced setbacks, and increased lot coverage), provided however, that the development provides enhanced amenities for the residents.

The proposed subdivision will need to meet the development standards required of the zoning designation, unless otherwise specified in the approved rezoning application. The following development standards deviate from the typical zoning requirements as a result of the enhanced amenities identified during the PUD process:

- A reduced driveway length from 20 feet to 16 feet.
- A reduced interior garage space from 400 square feet to 350 square feet.
- A decrease in the minimum lot size from 4,500 square feet to 3,200 square feet.
- A reduction in side yard setbacks from 7 feet on each side to zero feet on one of the adjoining sides.
- A reduction in the front yard setback from 20 feet to 2.5 feet.
- A reduction in the rear yard setback from 10 feet to 5 feet for the construction of a 100 square foot attached rear patio.
- An increase in maximum lot coverage from 35% to 70%. The increase in lot coverage allows for the future addition of accessory structures.

Municipal Improvement District (MID) will be established for the long-term maintenance of the landscaping within the retention basin as well as for any required subdivision landscaping.

1. Does the subdivision comply with the zoning code and the zoning district development standards?  
Yes.

2. Does the subdivision comply with the subdivision code requirements?  
Yes.

Standard	Subdivision						Conforms			
Lot Size	Minimum:	2,900 SF	Maximum:	4,400 SF			Yes	X	No	
Lot Depth	Minimum:	59.40 FT	Maximum:	59.47 FT			Yes	X	No	
Lot Width/Frontage	Minimum:	43 FT	Maximum:	61 FT			Yes	X	No	
Setbacks	Front:	2.5 FT	Rear:	5 FT	Side:	0-7 FT	Yes	X	No	
District Size	5.92	Acres					Yes	X	No	
Density	7	Dwelling units per acre					Yes	X	No	
Issues:										

Requirements		Conforms						
General Principles		Yes	X	No		N/A		
Streets		Conforms						
Circulation	Yes	X	No		N/A			
Arterial Streets	Yes	X	No		N/A			
Existing Streets	Yes	X	No		N/A			
Cul-de-sacs	Yes		No		N/A	X		
Half Streets	Yes		No		N/A	X		
Stub Streets	Yes		No		N/A	X		
Intersections	Yes	X	No		N/A			
Easements	Yes	X	No		N/A			
Dimensional Standards	Yes	X	No		N/A			
Issues: The reduced roadway widths were approved during the rezoning process.								
Blocks		Conforms						
Length	Yes	X	No		N/A			
Irregular Shape	Yes		No		N/A	X		
Orientation to Arterials	Yes	X	No		N/A			
Business or Industrial	Yes		No		N/A	X		
Issues: None								
Lots		Conforms						
Minimum Width	Yes	X	No		N/A			
Length and Width Ratio	Yes	X	No		N/A			
Fronting on Arterials	Yes		No		N/A	X		
Double Frontage	Yes		No		N/A	X		
Side Lot Lines	Yes	X	No		N/A			
Corner Lots	Yes	X	No		N/A			
Building Sites	Yes	X	No		N/A			
Street Frontage	Yes	X	No		N/A			
Issues: None								



### 3. Does the subdivision comply with the elements, plans and policies of the General Plan?

<b>Land Use Element:</b>									
Land Use Designation:			Medium Density Residential						
Issues:									
Historic District:	Brinley Avenue		Century Heights			Main Street		None	X
Historic Buildings on Site:		Yes		No	X				
<b>Transportation Element:</b>									
<b>FACILITY PLANS</b>									
TRANSPORTATION MASTER PLAN		<b>Planned</b>	<b>Existing</b>	<b>Gateway</b>	<b>Scenic</b>	<b>Hazard</b>	<b>Truck</b>		
24 <sup>th</sup> Street – 4-Lane Minor Arterial		50 FT H/W ROW	50 FT H/W ROW		X				
Avenue 7 ½ E – Local Street		29 FT H/W ROW	40 FT H/W ROW						
Avenue 7 ¾ E – Local Street		29 FT H/W ROW	40 FT H/W ROW						
Bicycle Facilities Master Plan		24 <sup>th</sup> Street: Existing Bike Lane							
YCAT Transit System		24 <sup>th</sup> Street: Orange Route 2 and Silver Route 9							
Issues:		None							
<b>Parks, Recreation and Open Space Element:</b>									
Parks and Recreation Facility Plan									
Neighborhood Park:	Existing: Desert Ridge Park			Future: Desert Ridge Park					
Community Park:	Existing: None			Future: North Mesa Community Park					
Linear Park:	Existing: None			Future: South Gila Valley Main Canal Linear Park					
Issues:		None							
<b>Housing Element:</b>									
Special Need Household:		N/A							
Issues:		None							
<b>Redevelopment Element:</b>									
Planned Redevelopment Area:		N/A							
Adopted Redevelopment Plan:		North End:		Carver Park:		None:	X		
Conforms:		Yes		No		N/A			
<b>Conservation, Energy &amp; Environmental Element:</b>									
Impact on Air or Water Resources		Yes		No	X				
Renewable Energy Source		Yes		No	X				
Issues:		None							
<b>Public Services Element:</b>									

<b>Population Impacts</b> Population projection per 2017-2021 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person		<b>Single Family</b>		<b>Population</b>	<b>Impact</b>	<b>Consumption</b>		<b>Generation</b>
		<b>Proposed</b>	<b>Per Unit</b>		<b>Officers</b>	<b>GPD</b>	<b>AF</b>	<b>GPD</b>
		42	2.9	122	0.23	25,213	28.2	8,526
<b>Fire Facilities Plan:</b>		Existing: Fire Station No. 5				Future: Fire Station No. 5		
<b>Water Facility Plan:</b>		<b>Source:</b>	City	X	Private		<b>Connection</b>	10" and 8" PVC
<b>Sewer Facility Plan:</b>		<b>Treatment:</b>	City	X	Septic		<b>Private</b>	Connection: 8" PVC
<b>Issues:</b>		None						
<b>Safety Element:</b>								
<b>Flood Plain Designation:</b>		Flood Zone X		<b>Liquefaction Hazard Area:</b>			Yes	No X
<b>Issues:</b>		None						
<b>Growth Area Element:</b>								
<b>Growth Area:</b>		Araby Rd & Interstate 8		Arizona Ave & 16 <sup>th</sup> St		Avenue B & 32 <sup>nd</sup> St.		
	North End	Pacific Ave & 8 <sup>th</sup> St		Estancia		None	X	
<b>Issues:</b>		None						

**Public Comments Received:** None Received.

**External Agency Comments:** See Attachment (insert correct attachment letter) OR None Received. (If none received, delete the column below)

**Neighborhood Meeting Comments:** See Attachment (insert correct attachment letter) OR No Meeting Required. (If no meeting, delete the column below)

**Proposed conditions delivered to applicant on:** 02/21/2023

**Final staff report delivered to applicant on:** 02/22/2023

- ☐ Applicant agreed with all of the conditions of approval on: (enter date)
- ☐ Applicant did not agree with the following conditions of approval: (list #'s)
- ☒ Planner has provided conditions of approval for review and consideration.

**Attachments**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Rezone Conditions	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

**Prepared By:***Alyssa Linville***Date: 02/22/2023**

Alyssa Linville,  
Director of Planning and  
Neighborhood Services

[Alyssa.Linville@yumaaz.gov](mailto:Alyssa.Linville@yumaaz.gov) (928)373-5000, ext. 3037



**ATTACHMENT A  
PRELIMINARY PLAT  
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

**Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director of Planning and Neighborhood Services(928) 373-5000, x 3037:**

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

**City Attorney Comments: (928) 373-5058:**

3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
4. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
  - a. pay to cross the easement to reach any structure on the lot;
  - b. prevent the utilities from providing service to any structure on a lot; or
  - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
5. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

**Engineering Conditions: Andrew McGarvie, Engineering Manager, (928) 373-5000, ext. 3044**

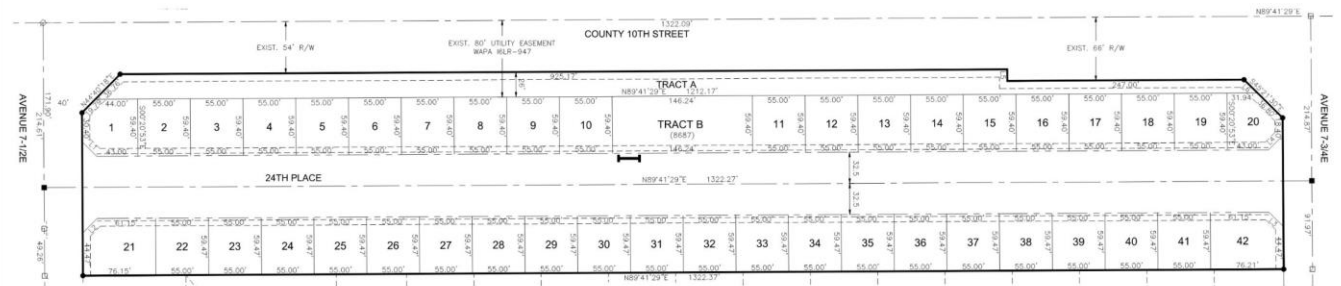
6. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along 24<sup>th</sup> Street, Avenue 7½E, and Avenue 7¾E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

**Community Planning Conditions: Alyssa Linville, Director of Planning and Neighborhood Services, (928) 373-5000, ext. 3037**

7. The Owner shall submit a final plat within three (3) year of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

**Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.**

# ATTACHMENT B PRELIMINARY PLAT MAP



Prepared by:  
DG  
Date:  
12/30/2022

SUBD-040846-2022  
Desert Ridge Townhomes

Site Plan

Plan/Case:  
40846



**ATTACHMENT C**  
**REZONE CONDITIONS**

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
4. The common area/retention basin shall be design to include at a minimum, one ramada and two barbeque grills.
5. A homeowner's association shall be established to maintain the amenities within the common area/retention basin.
6. Increased exterior architectural features shall include tile roofs shiplap siding, and a front porch.
7. Xeriscape landscape design in the front yards featuring an irrigation system, a drought tolerant shade tree planted within four to eight feet of the sidewalk, and accent shrubs.
8. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

**ATTACHMENT D  
AGENCY NOTIFICATIONS**

- **Legal Ad Published: The Sun** (02/03/23)
- **300' Vicinity Mailing:** (01/09/23)
- **34 Commenting/Reviewing Agencies noticed:** (01/12/23)
- **Site Posted on:** (02/21/23)
- **Neighborhood Meeting:** (N/A)
- **Hearing Date:** (02/27/23)
- **Comments due:** (01/23/23)

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	Yes	01/12/23	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	NR				
Yuma County Planning & Zoning	Yes	01/18/23	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	01/18/23		X	X
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	01/13/23	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	01/18/23	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT E**  
**AGENCY COMMENTS**

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☒ COMMENT      ☐ NO COMMENT

*Enter comments below:*

Western Area Power Administration (WAPA) has an easement within the proposed development, therefore WAPA requests that Colvin Engineering reach out to Dennis Patane, Realty Specialist, directly at patane@wapa.gov or 602.605.2713, to further discuss this proposed project.

DATE: 1/17/23      NAME: Leslee Beckett      TITLE: Realty Technician  
AGENCY: Western Area Power Administration, DSW Realty & Management Team  
PHONE: 602.605.2846  
RETURN TO: Alyssa Linville  
Alyssa.Linville@YumaAZ.gov

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**ATTACHMENT F**  
**NEIGHBOR NOTIFICATION LIST**

<b>Property Owner</b>	<b>Mailing Address</b>	<b>City/State/Zip Code</b>
<b>HARDKNOCKS LIMITED PARTNERSHIP</b>	190 S MADISON AVE STE 2	YUMA, AZ 85364
<b>EVANS CHRISTOPHER ROBERT</b>	PO BOX 26121	YUMA, AZ 85367
<b>JONSON ERIC E</b>	7724 E OLIVE ANN LN	YUMA, AZ 85365
<b>LUQUIN ROGELIO P</b>	7480 E 24TH PL	YUMA, AZ 85365
<b>SCHULTZ SPENCER J</b>	7604 E 25TH ST	YUMA, AZ 85365
<b>BENDER CHARLES R &amp; BRANDI L</b>	7594 E OLIVE ANN LN	YUMA, AZ 85365
<b>PEREZ ELLIAZ GONZALEZ &amp; SHAUNTE A</b>	2458 S LARAMIE WAY	YUMA, AZ 85365
<b>MUNOZ ALFREDO</b>	7482 E 24TH LN	YUMA, AZ 85364
<b>BUTLER JOSHUA C &amp; MEGAN M</b>	7549 E OLIVE ANN LN	YUMA, AZ 85365
<b>SMITH JUSTIN H</b>	7627 E OLIVE ANN LN	YUMA, AZ 85365
<b>MUNIZ JESSICA</b>	7626 E 25TH ST	YUMA, AZ 85365
<b>OGREN PATRICIA &amp; BRODY</b>	7668 E 25TH ST	YUMA, AZ 85365
<b>WINELAND SETH A &amp;</b>	7712 E OLIVE ANN LN	YUMA, AZ 85365
<b>VALDEZ TRUST 7-21-2020</b>	7562 E OLIVE ANN LN	YUMA, AZ 85365
<b>TRAYLOR LYNN</b>	7475 E 24TH LN	YUMA, AZ 85365
<b>LOYA SYLVIA M</b>	9228 CATTAIL CT SW	ALBUQUERQUE, NM 87121
<b>PATANE STEPHEN M</b>	7585 E OLIVE ANN LN	YUMA, AZ 85365
<b>KENNEDY YVONNE M</b>	2468 S LARAMIE WAY	YUMA, AZ 85365
<b>VIDRIO EDWARD P &amp;</b>	13585 E 55TH ST	YUMA, AZ 85365
<b>SHIPPEN EDWARD W TRUST 06-05-2007</b>	7678 E OLIVE ANN LN	YUMA, AZ 85365
<b>SCHAEFFER JUSTIN</b>	10583 E 34TH ST	YUMA, AZ 85365
<b>2115 ARIZONA AVENUE LP AZ LTD PART</b>	3497 S WOODPECKER DR	YUMA, AZ 85365
<b>LAW JOHN W</b>	7572 E OLIVE ANN LN	YUMA, AZ 85365
<b>GROSVENOR MARTINEZ A &amp; DELMA A JT</b>	7470 E 24TH PL	YUMA, AZ 85365
<b>MYERS SCOTT A &amp; CHRISTINE E JT</b>	2467 S AVENUE 7 1/2E	YUMA, AZ 85365
<b>LORONA DAVID J &amp; ALICIA JT</b>	7584 E 25TH ST	YUMA, AZ 85365
<b>RENAUD EDMOND P K JR &amp; ELIZABETH L K JT</b>	10179 S AVENUE 7 1/2 E	YUMA, AZ 85365
<b>RAY MONTE D &amp; LINDA W JT</b>	7735 E OLIVE ANN LN	YUMA, AZ 85365
<b>MCLEMORE ROBERT &amp; SUZANN</b>	13319 S AVENUE 4 1/4 E	YUMA, AZ 85365
<b>MONTES MAURICIO &amp; SARAN JT</b>	7616 E 25TH ST	YUMA, AZ 85365
<b>STODDARD ANGELA</b>	7552 E 25TH ST	YUMA, AZ 85365
<b>BARRON CYNTHIA</b>	7534 E OLIVE ANN LN	YUMA, AZ 85365
<b>HOLMES JAMES R &amp; ILIANA M TRUST 7- 26-04</b>	7679 E OLIVE ANN LN	YUMA, AZ 85365

<b>SAWYER M C TRUST 4-11-2014</b>	2455 S AVENUE 7 1/2E	YUMA, AZ 85365
<b>JOHNSON ELAINE E &amp;</b>	7563 E OLIVE ANN LN	YUMA, AZ 85365
<b>ARIZONA WESTERN COLLEGE POLITICAL SUB</b>	PO BOX 929	YUMA, AZ 85366
<b>KRUEGER ALEXANDRA</b>	7723 E OLIVE ANN LN	YUMA, AZ 85365
<b>KLINE RACHEL</b>	215 GENTILLY DR	KATY, TX 77450
<b>YUMA COUNTY OF</b>	198 S MAIN ST	YUMA, AZ 85364
<b>JOHNSON JEFFERY</b>	7626 E OLIVE ANN LN	YUMA, AZ 85365
<b>BRANTLEY-STOKES VIVIAN TRUST 5-15-2018</b>	7689 E OLIVE ANNE LN	YUMA, AZ 85365
<b>LEON BACILIO LLAMAS &amp; JANET</b>	7562 E 25TH ST	YUMA, AZ 85365
<b>FORNOF DAVID W &amp; ARLENE D JT</b>	7647 E OLIVE ANN LN	YUMA, AZ 85365
<b>HEIDNER WILLIAM J &amp; MILDRED B JT</b>	7605 E OLIVE ANN LN	YUMA, AZ 85365
<b>GARCIA CASEY JO &amp; HENRY GEORGE</b>	7658 E 25TH STREET	YUMA, AZ 85365
<b>ARZATE TRINIDAD F &amp; CARMEN JT</b>	7646 E OLIVE ANN LN	YUMA, AZ 85365
<b>SHIPPEN EDWARD W TRUST 06-05-2007</b>	7678 E OLIVE ANN LN	YUMA, AZ 85365
<b>LEARD JOHN P &amp; JACQUALYN L CPWROS</b>	7604 E OLIVE ANN LN	YUMA, AZ 85365
<b>PADILLA ANTHONY</b>	2480 S LARAMIE WAY	YUMA, AZ 85365
<b>SCHULTZ WILLIAM C</b>	7736 E OLIVE ANN LN	YUMA, AZ 85365
<b>ACOSTA VIRGEN XOCHITL</b>	7462 E 24TH LN	YUMA, AZ 85367
<b>LOPEZ JUAN JOSE &amp; ROSAURA M CPWROS</b>	7594 E 25TH ST	YUMA, AZ 85365
<b>ESTRADA MARIA</b>	7485 E 24TH LN	YUMA, AZ 85365
<b>HURTADO MARTHA O</b>	7669 E OLIVE ANN LN	YUMA, AZ 85365
<b>SCHILDERS WAYNE &amp; MYONG JT</b>	7711 E OLIVE ANN LN	YUMA, AZ 85364
<b>KHAN MOHAMMAD M TRUST 4-15-97</b>	1115 S BARDEAUX AVE	YUMA, AZ 85364
<b>VOGT STEFANIE</b>	7658 E OLIVE ANN LN	YUMA, AZ 85365
<b>DIMINO GIOVANNI &amp; REGINA R C JT</b>	7616 E OLIVE ANN LN	YUMA, AZ 85365
<b>KELLAND MARK R &amp; MARISOL A TRUST 8-18-2018</b>	8091 E ADOBE RIDGE RD	YUMA, AZ 85365
<b>GUTIERREZ CHRISTOPHER &amp; TIANNA RAE</b>	7552 E OLIVE ANN LN	YUMA, AZ 85365
<b>JONES RICHARD</b>	7472 E 24TH LN	YUMA, AZ 85365
<b>KHAN MOHAMMAD M TRUST 4-15-97</b>	1115 S BARDEAUX AVE	YUMA, AZ 85364
<b>PETERSEN COURTNEY &amp; BRETT</b>	7573 E OLIVE ANN LN	YUMA, AZ 85365
<b>SIMMONS KEITH &amp; PAOLA JT</b>	7637 E OLIVE ANN LN	YUMA, AZ 85365
<b>AGUILERA OSVALDO &amp; MARIA I JT</b>	356 RAINIER DR	SALINAS, CA 93906
<b>ARIZONA WESTERN COLLEGE POLITICAL SUB</b>	PO BOX 929	YUMA, AZ 85366
<b>CISNEROS ANTONIO &amp; MARISSA JT</b>	7460 E 24TH PL	YUMA, AZ 85365
<b>GREGSTON CLINTON R &amp; MARIA L JT</b>	7636 E OLIVE ANN LN	YUMA, AZ 85365



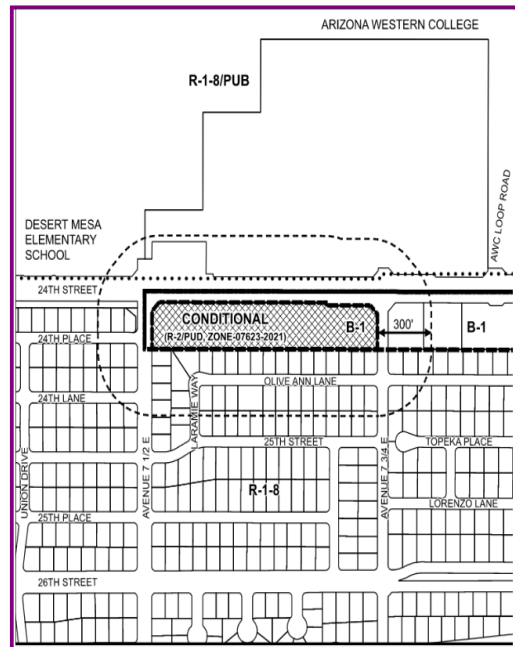
<b>ZAVALA RAFAEL &amp; MARIETTA STARBUCK</b>	7584 E OLIVE ANN LN	YUMA, AZ 85365
<b>SYLVIS JOSEPH DAVID &amp; SAMANTHA JO</b>	204 ROBERT ALAN DR	JACKSONVILLE, NC 28546
<b>CANNON MARTY</b>	7481 E 24TH PL	YUMA, AZ 85365
<b>VILLANUEVA JULIAN</b>	7617 E OLIVE ANN LN	YUMA, AZ 85365
<b>BENSUR CYNTHIA L</b>	7659 E OLIVE ANN LN	YUMA, AZ 85365

**ATTACHMENT G  
NEIGHBOR MAILING**

This is a request by Colvin Engineering, Inc., on behalf of Hardknocks LLLP, for approval of the preliminary plat for the Desert Ridge Townhomes Subdivision. This subdivision will contain approximately 6 acres, and is proposed to be divided into 42 residential lots, ranging in size from 2,900 square feet to 4,400 square feet. The property is located at the southeast corner of Avenue 7½E and 24<sup>th</sup> Street, Yuma, AZ.

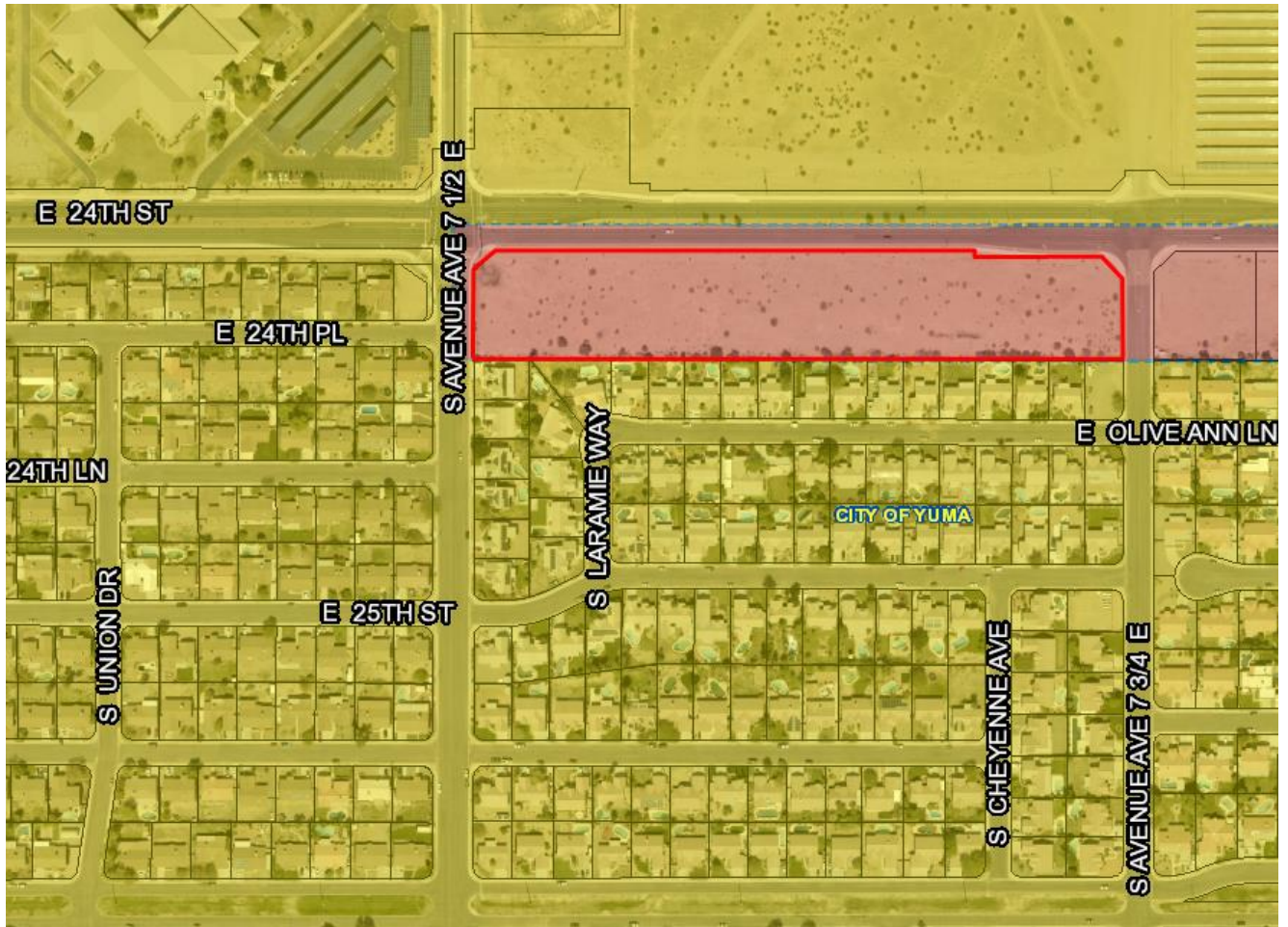
**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
SUBD-40846-2022**

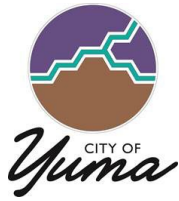
**PUBLIC HEARING**  
02/27/2023 @ 4:30pm  
City Hall Council Chambers  
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of southeast corner of Avenue 7½E and 24<sup>th</sup> Street, Yuma, AZ. you are invited to attend these meetings to voice your comments. If you have questions or wish to submit written comments, please contact Alyssa Linville by phone at (928) 373-5000 ext. 3037 or by email at [Alyssa.Linville@YumaAz.gov](mailto:Alyssa.Linville@YumaAz.gov)

ATTACHMENT H  
AERIAL PHOTO





**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES**  
**COMMUNITY PLANNING DIVISION**  
**CASE TYPE – REZONE**  
**CASE PLANNER: JENNIFER ALBERS**

**Hearing Date:** February 27, 2023

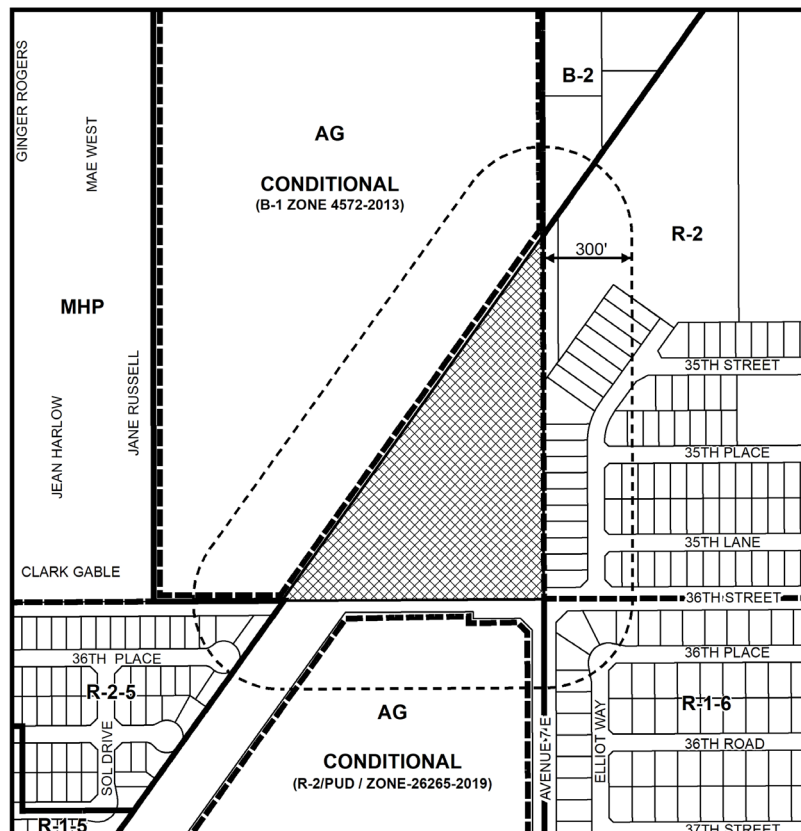
**Case Number:** ZONE-40939-2022

**Project Description/**  
**Location:**

This is a request by Dahl, Robins & Associates, Inc., on behalf of Yumas Desert Oasis Development, LLC, to rezone approximately 3 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the northwest corner of 36<sup>th</sup> Street and Avenue 7½E, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
<b>Site</b>	Agriculture (AG)	Undeveloped	High Density Residential
<b>North</b>	Agriculture (AG) with Conditional Limited Commercial (B-1)	Undeveloped	Mixed Use
<b>South</b>	Medium Density Residential (R-2-5) and Agriculture (AG) with Conditional Medium Density Residential (R-2/PUD)	Future Desert Sky Unit 2 Subdivision	Medium Density Residential
<b>East</b>	Medium Density Residential (R-2)	Future Santana Unit 2 Subdivision	Medium Density Residential
<b>West</b>	Agriculture (AG) with Conditional Limited Commercial (B-1)	Undeveloped	Mixed Use

**Location Map**



**Prior site actions:** Annexation Ordinance O97-81 Adopted 1/2/98, General Plan land use amendment request GP2004-008 Mixed Use to Public/Quasi-Public, General Plan amendment Resolution R2022-49 (12/21/22) Public/Quasi-Public to High Density Residential.

**Staff Recommendation:** Staff recommends **APPROVAL** of the rezoning from the Agriculture (AG) District to the High Density Residential (R-3) District, subject to the conditions shown in Attachment A.

**Suggested Motion:** Move to **APPROVE** Rezone ZONE-40939-2022 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

**Effect of the Approval:** By approving the rezone, the Planning and Zoning Commission is recommending approval to City Council for the request to rezone approximately 3 acres from the Agriculture (AG) District to the High Density Residential (R-3) District for the property located at the northwest corner of 36<sup>th</sup> Street and Avenue 7½E, subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

**Staff Analysis:** The subject property is located at the northwest corner of 36<sup>th</sup> Street and Avenue 7½E. The property is undeveloped and contains the “A” Canal and power line easements for the Western Arizona Power Administration (WAPA) and Arizona Public Service (APS) along the west property line.

The applicant intends to develop a 46-unit apartment complex on approximately 3 acres of the 12.5 acre parcel.

Below, are selected site development standards which apply to the High Density Residential (R-3) District:

**High Density Residential (R-3) District:**

1. The maximum lot coverage in the High Density Residential (R-3) District shall not exceed 35% of the lot area; an additional 5% lot coverage is permitted for common recreation buildings. The covered parking provided shall be permitted in addition to the maximum lot coverage percentage listed above, provided that the total lot coverage does not exceed 50% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 10 feet; and
5. The maximum building height shall be 40 feet.

The potential residential development could contain between 39 and 90 dwelling units based on the density allowable in the City of Yuma 2022 General Plan. The request to rezone the property from the Agriculture (AG) District to the High Density Residential (R-3) is in conformance with the Land Use Element of the General Plan.

**1. Does the proposed zoning district conform to the Land Use Element?**

Yes

<b>Land Use Element:</b>									
Land Use Designation:				High Density Residential					
Issues:				None					
Historic District:		Brinley Avenue		Century Heights		Main Street		None X	
Historic Buildings on Site:		Yes		No		X			

**2. Are there any dedications or property easements identified by the Transportation Element?**

Yes

<b>FACILITY PLANS</b>						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
36 <sup>th</sup> Street – Collector	40FT HW	0FT HW				
Bicycle Facilities Master Plan	N/A					
YCAT Transit System	N/A					
Issues:	None					

**3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?**

Yes

<b>Parks, Recreation and Open Space Element:</b>			
Parks and Recreation Facility Plan			
Neighborhood Park:	Existing: Saguaro Park		Future: Saguaro Park
Community Park:	Existing: Kennedy Park		Future: South Mesa Community Park
Linear Park:	Existing: East Main Canal Linear Park		Future: "A" Canal Linear Park
Issues:	None		

<b>Housing Element:</b>	
Special Need Household:	N/A
Issues:	None

<b>Redevelopment Element:</b>							
Planned Redevelopment Area:		N/A					
Adopted Redevelopment Plan:		North End:		Carver Park:		None: X	
Conforms:		Yes		No		N/A	

<b>Conservation, Energy &amp; Environmental Element:</b>							
Impact on Air or Water Resources		Yes		No		X	
Renewable Energy Source		Yes		No		X	
Issues:		None					

<b>Public Services Element:</b>								
<b>Population Impacts</b> Population projection per 2017-2021 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; 2020 Conservation Plan Water demand: 207 gallons/day/person; Wastewater generation: 70 gallons per day per person		<b>Dwellings &amp; Type</b>		<b>Projected Population</b>	<b>Police Impact</b>	<b>Water Consumption</b>		<b>Wastewater Generation</b>
		<i>Multi-Family</i>						
		Maximum	Per Unit		Officers	GPD	AF	GPD
		90	1.9	171	0.32	35,397	39.7	11,970
		Minimum						
		39	1.9	74	0.14	15,339	17.2	5,187
Fire Facilities Plan:		Existing: Station No. 5			Future: Station No. 7			
Water Facility Plan:		Source:	City	X	Private	Connection:	Future 36 <sup>th</sup> Street 10"	

Sewer Facility Plan:	Treatment:	City	X	Septic		Private		Connection: Future Avenue 7½E 12"	
Issues:	None								
<b>Safety Element:</b>									
Flood Plain Designation:	500 Year Flood			Liquefaction Hazard Area:		Yes		No	X
Issues:	None								
<b>Growth Area Element:</b>									
Growth Area:	Araby Rd & Interstate 8	X	Arizona Ave & 16 <sup>th</sup> St			Avenue B & 32 <sup>nd</sup> St.			
	North End		Pacific Ave & 8 <sup>th</sup> St			Estancia		None	
Issues:	None								

**4. Does the proposed rezoning conform to the adopted facilities plan?**

Yes

**5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?**

Yes

**External Agency**

See Attachment D

**Comments:**

**Neighborhood**

No Meeting Required

**Meeting Comments:**

**Proposed conditions delivered to applicant on:** January 25, 2023

**Final staff report delivered to applicant on:** February 2, 2023

<input type="checkbox"/>	Applicant agreed with all of the conditions of approval on:
<input checked="" type="checkbox"/>	Applicant did not agree with the following conditions of approval: 6 and 7
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

**Attachments**

A	B	C	D	E	F	G
Conditions of Approval	Conceptual Site Plan	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

**Prepared By:** *Jennifer L. Albers*

**Date:** *2/1/23*

Jennifer L. Albers, AICP  
Principal Planner

Jennifer.Albers@YumaAZ.gov (928) 373-5180

**Approved By:** *Alyssa Linville*

**Date:** *02/16/2023*

Alyssa Linville  
Director, Planning and Neighborhood Services



**ATTACHMENT A**  
**CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

**Department of Planning and Neighborhood Services Comments: Alyssa Linville, Director Planning and Neighborhood Services (928) 373-5000, x3037:**

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

**Engineering, Andrew McGarvie, Engineering Manager, (928) 373-5000 x3044:**

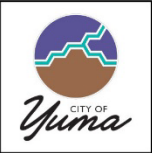
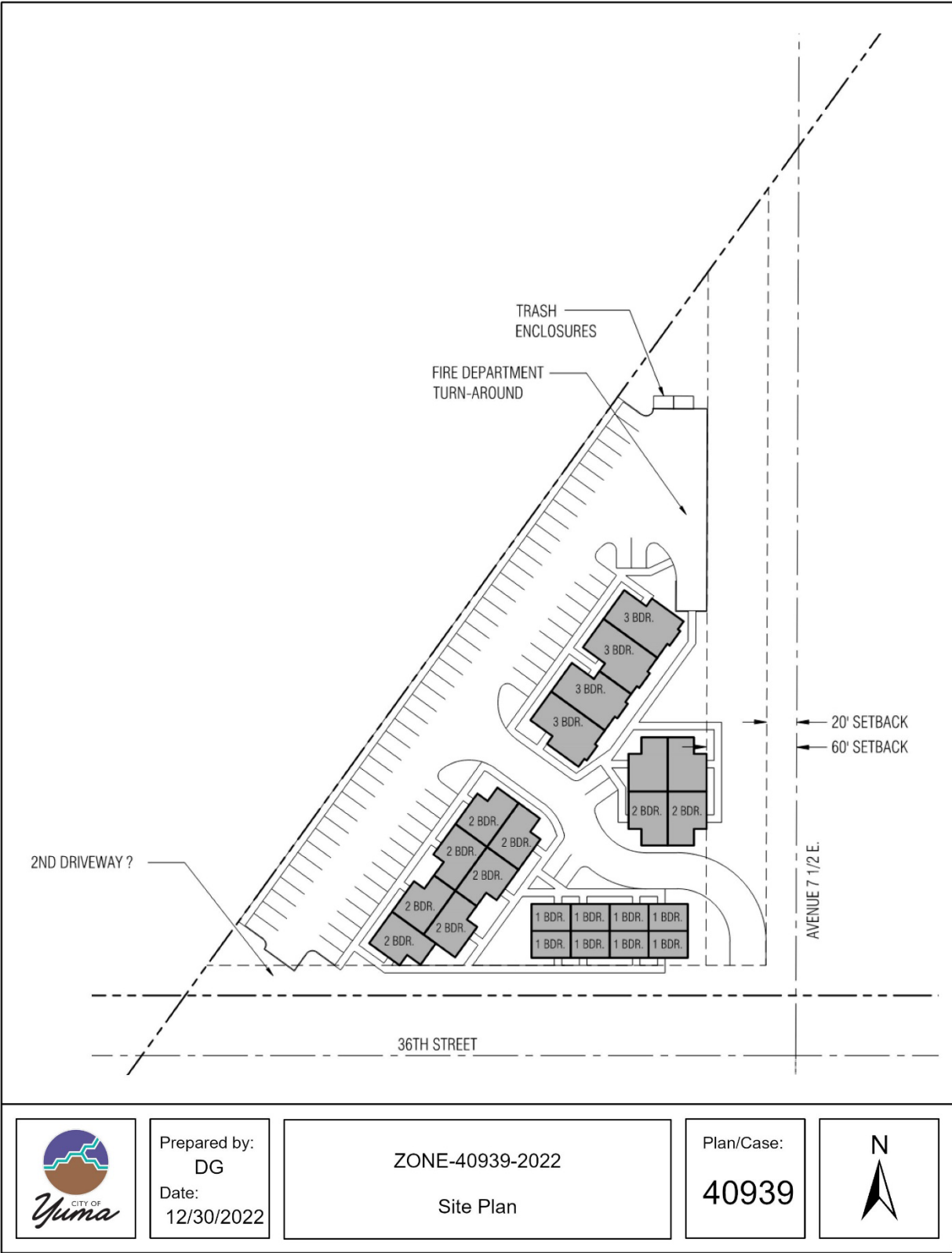
4. Owner/developer shall dedicate 40 feet half width along the south edge of the entire parcel for 36<sup>th</sup> Street, a midsection collector street per City Construction standard 2-020.
5. Owner/developer shall dedicate a 1' non-access easement along 36<sup>th</sup> Street frontage except for a City approved access location.
6. Owner/developer shall provide payment in lieu of construction for the north half of 36<sup>th</sup> Street, including street lights across the 36<sup>th</sup> Street frontage in conformance with City Construction standard 2-020.
7. Owner/developer shall dedicate to the City of Yuma any underlying fee title property that is part of the parcel being developed that may have USA, BOR, BLM, WAPA and or APS easements.

**Community Planning, Jennifer Albers, Principal Planner, (928) 373-5180:**

8. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

**Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.**

**ATTACHMENT B**  
**CONCEPTUAL SITE PLAN**



Prepared by:  
DG  
Date:  
12/30/2022

ZONE-40939-2022  
Site Plan

Plan/Case:  
40939



## ATTACHMENT C AGENCY NOTIFICATIONS

- Legal Ad Published: The Sun 02/03/23
- 300' Vicinity Mailing: 01/10/23
- 34 Commenting/Reviewing Agencies noticed: 01/12/23
- Site Posted on: N/A
- Neighborhood Meeting: N/A
- Hearing Date: 02/27/23
- Comments due: 01/23/23

<b>External List (Comments)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Comment"</b>	<b>Written Comments</b>	<b>Comments Attached</b>
Yuma County Airport Authority	Yes	1/10/23	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	1/11/23	X		
Yuma County Planning & Zoning	Yes	1/18/23	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Ft. Yuma Quechan Tribe	Yes	1/10/23	X		
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	1/11/23	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	Yes	2/1/23			X
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
Yuma Proving Ground	Yes	1/10/23	X		
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	1/11/23			X
<b>City of Yuma Internal List (Conditions)</b>	<b>Response Received</b>	<b>Date Received</b>	<b>"No Conditions"</b>	<b>Written Conditions</b>	<b>Comments Attached</b>
Police	NR				
Parks & Recreation	NR				
Development Engineer	Yes	1/17/23		X	
Fire	Yes	1/10/23	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	1/18/23		X	
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D**  
**AGENCY COMMENTS**

☒ COMMENT    ☐ NO COMMENT

*Enter comments below:*

There is a potential conflict with Western Area Power Administration (WAPA) lines GLA-SON and ARB-MRB. Please have the developer reach out to WAPA directly prior to moving forward with this project.

DATE: 1/11/23      NAME: Leslee Beckett      TITLE: Reality Technician  
AGENCY: Western Area Power Administration (WAPA)  
PHONE: 602-605-2846  
RETURN TO: Jennifer Albers  
Jennifer.Albers@YumaAZ.gov

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☒ Condition(s)                      ☐ No Condition(s)                      ☐ Comment

Enter conditions here: Subject parcel is located approximately 2.5 miles from the Barry M. Goldwater Range-West (BMGR-W) northern boundary. It is requested that Aviation Easement and Range Disclosure Statements be recorded that recognizes the noise, interference, or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma, Yuma International Airport Aviation Complex, BMGR-W, and its associated flight paths. Please send a copy of the recorded easements to MCASYUMA\_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE: 18 Jan 2023      NAME: Antonio Martinez      TITLE: Community Liaison Specialist  
CITY DEPT: MCAS Yuma  
PHONE: 928-269-2103  
RETURN TO: Jennifer Albers  
Jennifer.Albers@YumaAZ.gov

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February 1, 2023

Jennifer Albers  
Community Planning Division  
City of Yuma  
1 City Plaza  
Yuma, AZ 85364

Electronically submitted to: [Jennifer.Albers@YumaAZ.gov](mailto:Jennifer.Albers@YumaAZ.gov)

**RE: City of Yuma Rezoning Case Number ZONE-40939-2022**

Dear Ms. Albers:

The Arizona Game and Fish Department (Department) appreciates the opportunity to review ZONE-40939-2022. The Department understands that this is a request for the rezoning of approximately 3 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the northwest corner of 36th Street and Avenue 7½ E, Yuma, Arizona.

Under Title 17 of the Arizona Revised Statutes, the Department, by and through the Arizona Game and Fish Commission, has jurisdictional authority and public trust responsibilities to conserve and protect the state fish and wildlife resources. In addition, the Department manages threatened and endangered species through authorities of Section 6 of the Endangered Species Act and the Department's Section 10(a)(1)(A) permit. It is the mission of the Department to conserve and protect Arizona's diverse fish and wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations. For your consideration, the Department provides the following comments based on the agency's statutory authorities, public trust responsibilities, and special expertise related to wildlife resources and recreation.

The western burrowing owl, a special status species that is regulated under the Migratory Bird Treaty Act, may be present within the project area. If suitable habitat for this species is present (i.e. burrows in the ground), the Department recommends conducting an occupancy survey for western burrowing owls to determine if this species occurs within your project footprint. Guidelines for conducting this survey are found in [Burrowing Owl Project Clearance Guidance for Landowners](#)<sup>1</sup>. Please note that the survey should be conducted by a surveyor who is certified by the Department or has similar training and qualifications. If an active burrowing owl burrow

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<sup>1</sup> <https://www.azgfd.com/wildlife/speciesofgreatestconservneed/raptor-management/burrowing-owl-mangement/>

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**azgfd.gov | 928.342.0091**

**YUMA OFFICE: 9140 E. 28TH ST., YUMA AZ 85365**

**GOVERNOR: KATIE HOBBS COMMISSIONERS: CHAIRMAN JAMES E. GOUGHNOUR, PAYSON | TODD G. GEILER, PRESCOTT | CLAY HERNANDEZ, TUCSON  
MARSHA PETRIE SUE, SCOTTSDALE | LELAND S. "BILL" BRAKE, ELGIN DIRECTOR: TY E. GRAY DEPUTY DIRECTOR: TOM P. FINLEY**



is detected, please contact the Department and the [U.S. Fish and Wildlife Service](#)<sup>2</sup> for direction, in accordance with the *Burrowing Owl Project Clearance Guidance for Landowners*.

Additionally, the Department recommends the following best management practices for wildlife and their habitat that may be affected by this project:

- The Department recommends minimizing the potential introduction or spread of exotic invasive species, including aquatic and terrestrial plants, animals, insects, and pathogens. This can be accomplished by taking precautions to wash and/or decontaminate all equipment utilized in the project activities before entering and leaving the site. Also, see the [Arizona Department of Agriculture website](#)<sup>3</sup> for a list of prohibited and restricted noxious weeds and the [Arizona Native Plant Society](#)<sup>4</sup> for recommendations on how to control them. A great resource to view a list of documented invasive species or to report invasive species in or near your project area is [iMapInvasives](#)<sup>5</sup>, a national cloud-based application for tracking and managing invasive species.
- The Department recommends revegetating disturbed areas with native drought-tolerant species that represent the pre-construction vegetation characteristics and the surrounding landscape. Landscaping with native plants can help support wildlife and pollinator species in the area while reducing dust and erosion.
- If trenching will occur for the proposed project, the Department recommends that trenching and backfilling crews work close together to minimize the amount of open trenches at any given time. Where trenches cannot be back-filled immediately, the Department recommends escape ramps be constructed at least every 90 meters. Escape ramps can be short lateral trenches or wooden planks sloping to the surface. The slope should be less than 45 degrees (1:1). Trenches that have been left open overnight should be inspected and animals removed prior to backfilling.
- Artificial lighting could impair the ability of nocturnal animals to navigate (e.g., owls, migratory birds, bats, and other nocturnal mammals), and may affect reptile populations. If construction activities are to take place between sunset and sunrise, the Department recommends using only the minimum amount of light needed for safety. If feasible, narrow spectrum lighting is wildlife-friendly and should be used as often as possible to minimize the number of species affected by lighting. It is also beneficial that all lighting is shielded, canted, or cut to minimize the amount of upward shining light.
- The Department would also like to encourage private developers and The City of Yuma to use the [Arizona Online Environmental Review Tool](#)<sup>6</sup> administered by the Department's Heritage Data Management System (HDMS) as part of their standard operating procedure for review of new construction and development. This tool is a useful resource that provides baseline information on special status species such as Arizona's Species of

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<sup>2</sup> <https://www.fws.gov/office/arizona-ecological-services/contact-us>

<sup>3</sup> <https://www.invasivespeciesinfo.gov/unitedstates/az.shtml>

<sup>4</sup> <https://aznps.com/invas>

<sup>5</sup> <https://imap.natureserve.org/imap/services/page/map.html>

<sup>6</sup> <https://ert.azgfd.gov/>

*City of Yuma Rezoning Case Number ZONE-40939-2022*  
February 1, 2023  
Page 3

Greatest Conservation Need and Species of Economic and Recreational Importance. The Department entered this project as an example (please see the attached HDMS report).

Thank you for the opportunity to provide input on ZONE-40939-2022. For further coordination, please contact Teigan Williams at [tstruck@azgfd.gov](mailto:tstruck@azgfd.gov) or 928-341-4069.

Sincerely,

**Tyler Williford** Digitally signed by Tyler Williford  
Date: 2023.01.31 17:08:13  
-07'00'

A. Tyler Williford  
Habitat, Evaluation, and Lands Program Supervisor - Region IV

AZGFD #M23-01193154

HDMS Report referenced above is on file with the Department of Planning & Neighborhood Services



**ATTACHMENT E**  
**NEIGHBOR NOTIFICATION LIST**

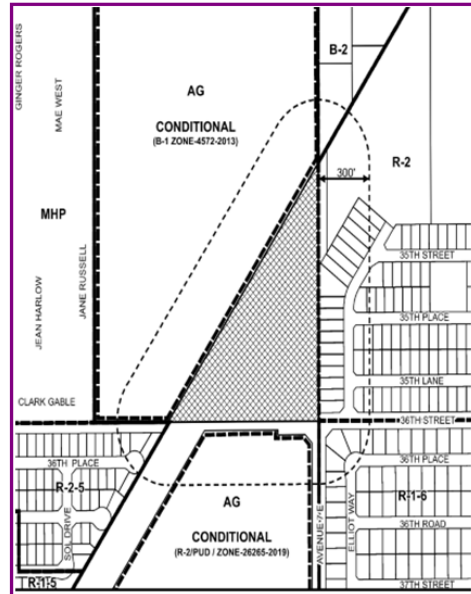
<b>Property Owner</b>	<b>Mailing Address</b>	<b>City/State/Zip Code</b>		
SANTANA 142 RE HOLDINGS AZ LLC	340 PALLADIO PKWY STE 521	FOLSOM	CA	95630
YUMAS DESERT OASIS DEVELOPMENT	3064 S AVENUE B	YUMA	AZ	85364
RODRIGUEZ ROBERTO & ILEANA ZENAIDA	7276 E 36TH PL	YUMA	AZ	85365
BARRAGAN ALFONSO & GABRIELA	7288 36TH PL	YUMA	AZ	85365
DAY STEVEN D & DEBORAH A	25 CHURCH ST	DELEVAN	NY	14042
DEVINE JOHN RUSSELL & TAMMY LYNN	7306 E 36TH PL	YUMA	AZ	85365
GONZALEZ REGINALD	7295 E 36TH PL	YUMA	AZ	85365
HALL MICHAEL T LIVING TRUST 10-1-2007	PO BOX 4776	YUMA	AZ	85366
DS DEVELOPMENT YUMA LLC	3064 S AVENUE B	YUMA	AZ	85364
ALL SECURE SELF STORAGE AZ LLC	575 E 18TH PL	YUMA	AZ	85364

**ATTACHMENT F  
NEIGHBOR MAILING**

This is a request by Dahl, Robins & Associates, Inc., on behalf of Yumas Desert Oasis Development, LLC, to rezone approximately 3 acres from the Agriculture (AG) District to the High Density Residential (R-3) District, for the property located at the northwest corner of 36<sup>th</sup> Street and Avenue 7½E, Yuma, AZ.

**MEETING DATE,  
TIME & LOCATION  
FOR CASE #  
ZONE-40939-2022**

**PUBLIC HEARING**  
02/27/2023 @ 4:30pm  
City Hall Council Chambers  
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of the North West Corner of 36th Street and Avenue 7½E, Yuma, AZ, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Jennifer Albers by phone at (928) 373-5000 ext. 5180 or by email at [Jennifer.Albers@YumaAz.gov](mailto:Jennifer.Albers@YumaAz.gov)

ATTACHMENT G  
AERIAL PHOTO

